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Agrahayana 20, 1895 (Saka)

LOK SABHA DEBATES

Ninth Session

LOK SABHA SECRETARIAT
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Tuesday, December 11, 1973/Agrahayana 20, 1895 (Saka).

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*].

ORAL ANSWERS TO QUESTIONS

गंडक परियोजना के लिए बिहार को सहायता

*423. **श्री विभूति मिश्र** : क्या **सिंचाई और विद्युत्** मंत्री यह बताने की कृपा करेंगे कि :

(क) गंडक परियोजना के लिए केन्द्र सरकार द्वारा 16 नवम्बर, 1973 तक बिहार सरकार को कुल कितनी धनराशि दी गई ;

(ख) क्या इस बात का कोई अनुमान लगाया गया है कि अब तक खर्च की गई धनराशि से कितने मूल्य का कार्य हुआ है ;

(ग) अब तक खर्च की गई धनराशि की तुलना में उससे कितना लाभ हो रहा है ; और

(घ) गंडक परियोजना के कब तक पूरा होने की आशा है और इस पर और कितनी धनराशि खर्च होने का अनुमान है ?

सिंचाई और विद्युत् मंत्रालय में उपमंत्री (श्री सिद्धेश्वर प्रसाद): (क) से (घ). विवरण सभा पटल पर रखा जाता है ।

विवरण

(क) से (ग) . राज्यों को केन्द्रीय सहायता ब्लाक ऋणों और अनुदानों के रूप में दी जा रही है और यह किसी विशेष विकास शीर्ष अथवा परियोजना से सम्बन्धित नहीं होती है । अतः बिहार सरकार को गण्डक परियोजना के लिए केन्द्र सरकार द्वारा दी गई धनराशि को बताना संभव नहीं है । बहरहाल, बिहार सरकार ने मार्च, 1973 के अन्त तक गण्डक परियोजना पर 100.9 करोड़ रुपये व्यय होने की सूचना दी है । विभिन्न संघटकों के अन्तर्गत किए गए कार्यों की मात्रा और उन पर हुए व्यय का विवरण केन्द्र के पास उपलब्ध नहीं है ।

मार्च, 1973 तक, बिहार में गण्डक परियोजना द्वारा उत्पन्न सिंचाई शक्यता 3.5 लाख हैक्टेयर है ।

(घ) गण्डक परियोजना को 1976–77 तक पूरा करना अनुसूचित है । मार्च, 1973 तक सूचित व्यय के अतिरिक्त बिहार के लिए अतिरिक्त अनुमानित परिव्यय 1973–74 के लिए 12.00 करोड़ रुपये और पांचवीं पंचवर्षीय योजना में 50.86 करोड़ रुपये है ।

श्री विभूति मिश्र : अध्यक्ष जी, मैंने जो सवाल किया है उसका जवाब स्टेटमेन्ट में नहीं है । मैं जानना चाहता हूं कि यह गंडक परियोजना कब तक पूरी होगी ? दूसरी बात यह है कि इसमें यह भी नहीं लिखा है कि कौन सी स्टेट में कितनी सिंचाई होती है । इसमें लिखा है कि उत्तर प्रदेश, बिहार और नैपाल में साढ़े तीन लाख हेक्टर भूमि की सिंचाई होती है लेकिन किस स्टेट में कितनी

सिंचाई होती है उसका ब्रेक-अप नहीं दिया है। इसके अलावा मैं यह भी जानना चाहता हूं कि एक अरब रुपया खर्च हो गया और इनके हिसाब से लगभग 9 लाख एकड़ जमीन की सिंचाई हो रही है लेकिन अभी आपने देखा होगा कि एन० डी० सी० की मीटिंग में हल्ला हुआ कि इन्फ्लेशन होता है, सारे सुग्रीव और जामवंत वहां बैठे होंगे, तो एक अरब रुपया खर्च होने के बाद भी पौने 9 लाख एकड़ की सिंचाई हो रही है और 12 साल हो गए हैं लेकिन अभी भी सरकार नहीं बता रही है कि यह योजना कब तक पूरी होगी। तो मैं जानना चाहता हूं क्या केन्द्रीय सरकार इस को पूरा करने के लिए सचेष्ट है और बिहार के भूतपूर्व मुख्य मंत्री श्री केदार पांडे ने केन्द्रीय सरकार को लिख कर भेजा था कि इस योजना को हम केन्द्र को दे रहे हैं तो क्या सेन्ट्रल गवर्नमेंट उसको लेने के लिए तैयार है ?

श्री सिद्धेश्वर प्रसाद : जो विवरण सभा-पटल पर रखा गया है उसमें बताया गया है कि गण्डक परियोजना के 1976–77 तक पूरी होने की सम्भावना है। उसमें यह भी बताया गया है कि 3.5 लाख हेक्टर जमीन की सिंचाई बिहार में होगी। इसके अलावा मार्च, 1973 तक उत्तर प्रदेश में 1.23 लाख हेक्टर जमीन की सिंचाई होगी।

माननीय सदस्य ने यह भी कहा कि बिहार के भूतपूर्व मुख्य मन्त्री ने केन्द्रीय सरकार को लिखा था कि यह योजना केन्द्र द्वारा ले ली जाये, यह प्रश्न इस सदन में भी माननीय सदस्य ने उठाया था और इसका उत्तर देते हुए योजना मन्त्री जी ने बताया था कि सिंचाई की योजनायें राज्य सरकारों द्वारा कार्यान्वित की जाती हैं और योजना को कार्यान्वित करने के लिए योजना की जो सीमा होती है उसके अन्तर्गत केन्द्र की ओर से ऋण दिया जाता है और उसमें बराबर इस बात का ध्यान रखा जाता है कि गण्डक जैसी परियोजना जितनी तेजी से हो सके पूरी की जाये तथा इस दृष्टि से केन्द्रीय सरकार की कोशिश है कि गण्डक परियोजना 1976–77 तक पूरी हो जाये।

श्री विभूति मिश्र : इस परियोजना की एक खास खूबी है कि इसका सम्बन्ध एक इण्डेपेण्डेन्ट स्टेट नैपाल से है और उत्तर प्रदेश तथा बिहार से भी इसका सम्बन्ध है। इस तरह से इसमें इंडियन यूनियन के दो बड़े भूबे हैं और एक इण्डेपेण्डेन्ट स्टेट नैपाल है। 12 साल से ज्यादा इसमें लग गए इसलिए हमारे योजना मंत्री डी० पी० धर साहब ने कहा कि अगर बिहार गवर्नमेंट लिख कर दे तो हम इसको लेने के लिए तैयार हैं। उनके पहले एक बार जब श्री फखरुद्दीन अली अहमद साहब सिंचाई एवम् विद्युत् मंत्री थे तो उन्होंने भी कहा था कि गण्डक परियोजना को हम ले लेंगे। बिहार गवर्नमेंट को तीनों स्टेट्स से बातचीत करने में दिक्कत होती है तो इन दिक्कतों को देखते हुए और इस बात को देखते हुए कि एक अरब रुपये से ज्यादा खर्च हो गया क्या केन्द्रीय सरकार इस योजना को लेने की बात सोच रही है ? और अगर केन्द्रीय सरकार इसको लेना नहीं चाहती है तो इस योजना को सचेष्ट हो कर कब तक पूरा करायेगी ?

दूसरी बात यह है कि अभी मैंने छितौनी से जा कर देखा तो भैंसालोटन से उत्तर प्रदेश और नैपाल का जो हिस्सा है वहां पर सिल्टिंग हो गई है, नहर धंस गई है तो मैं जानना चाहता हूं केन्द्रीय सरकार इतनी बड़ी इस योजना को लेने के लिए तैयार है या नहीं ?

श्री सिद्धेश्वर प्रसाद मैंने अभी प्रश्न के उत्तर में और अनुपूरक प्रश्न के उत्तर में बताया है कि केन्द्रीय सरकार इस योजना को तेजी से कार्यान्वित करने के लिए योजना की सीमा के अन्तर्गत आर्थिक सहायता ऋण के रूप में दे रही है और इसी वजह से इतनी बड़ी योजना इतना आगे बढ़ चुकी है। जहां तक योजना को कम से कम समय में पूरा करने का सवाल है मैंने बताया है इस बात की कोशिश की जा रही है कि 1976–77 तक यह योजना पूरी हो जाये। यह सब इस बात को ध्यान में रख कर किया जा रहा है कि इस योजना का सम्बन्ध उत्तर प्रदेश, बिहार जैसे दो बड़े राज्यों से है तथा इसका सम्बन्ध पड़ोसी देश नैपाल से भी है। इसीलिए इस योजना को तेजी से कार्यान्वित करने के लिए कदम उठाये जा रहे हैं। इस परियोजना के लिए जितनी धनराशि दी जाती थी उससे अधिक धनराशि पिछले वर्षों में दी गई है तथा यह कोशिश की जायेगी कि आगामी वर्षों में उससे अधिक धनराशि दी जाये।

माननीय सदस्य ने नहर के क्षतिग्रस्त होने का सवाल उठाया है तो उसके सम्बन्ध में जांच की जायेगी और बिहार सरकार को आवश्यक कार्यवाही करने के लिए हिदायत दी जायेगी।

श्री विभूति मिश्र : मेरा प्वाइंट आफ आर्डर है। सवाल यह है कि इस योजना का तीन स्टेट्स से सम्बन्ध है अकेले बिहार गवर्नमेंट से इसका सम्बन्ध नहीं है। आधा बराज नैपाल में है और आधा बराज हिन्दुस्तान में है। आपने कहा बिहार गवर्नमेंट लिख कर दे तो हम लेने के लिए तैयार हैं और बिहार गवर्नमेंट ने लिख कर दे दिया तो फिर केन्द्रीय सरकार क्या कर रही है ?

श्री सिद्धेश्वर प्रसाद : बिहार सरकार ने लिख कर दिया था तो उसका उत्तर देते हुए योजना मंत्री ने इस सदन में बताया था कि इस योजना को केन्द्र द्वारा कार्यान्वित करने का प्रश्न नहीं उठता है। केन्द्र की ओर से इस योजना को पूरी सहायता दी जा रही है और उसी के आधार पर यह योजना कार्यान्वित की जा रही है। इस योजना को तेजी से कार्यान्वित करने के लिए प्रति वर्ष जितनी धनराशि दी जाती रही है ऋण के रूप में उसको और ज्यादा बढ़ाने की सम्भावना है जिससे कि यह योजना 1976–77 तक पूरी हो सके। जहां तक योजना में किसी प्रकार की कठिनाई आने का सवाल है अभी तक इसमें कोई कठिनाई नहीं आई है। दो सम्बन्धित राज्यों में योजना को कार्यान्वित करने में यदि किसी प्रकार की कठिनाई होती है तो उसको शीघ्रातिशीघ्र निपटाने का प्रयत्न किया जाता है।

श्री नवल किशोर सिंह : अध्यक्ष जी यह प्रश्न जितना ही स्पष्ट था, उत्तर उतना ही उलझनों से भरा हुआ है। मैं क्या मंत्री महोदय से पूछ सकता हूं कि आपने दावा किया है कि 3.5 लाख हेक्टर इर्रीगेशन पोटेंशियल क्रिएट किया है लेकिन अभी तक उसका एक्चुअल यूटिलाइजेशन क्या हुआ है ?

और दूसरी बात यह है कि जो एस्केप वाटर से वहां के बहुत से क्षेत्रों में योजना में प्राविधिक खामियों के कारण नुकसान हो रहा है उस के सम्बन्ध में सरकार क्या कर रही है ?

एक चीज और है, बहुत वैलिड और साफ सवाल प्रश्न कर्त्ता ने पूछा है कि योजना कब तक पूरी हो जायगी ? इस का कोई उत्तर नहीं आया। ऐसा उत्तर ले कर हम क्या करेंगे ? सरकार कुछ कहने के लिए तैयार नहीं है कि योजना कब तक पूरी हो जायगी ?

अध्यक्ष महोदय : आप ने जवाब भी सुना था ? प्रश्न तो उन का आप ने सुन लिया जवाब भी तो सुना करें ।

श्री सिद्धेश्वर प्रसाद : मैंने विवरण में भी बताया है और माननीय सदस्य के अनुपूरक प्रश्न के उत्तर में भी बताया है कि योजना 1976–77 में पूरी होगी ऐसी आशा की जा सकती है । सिंचाई के लिए अभी तक पोटेंशियल जो क्रियेट किया गया है वह 3.50 लाख हेक्टर्स है उस में मार्च 1973 तक 1.16 लाख हेक्टर्स की सिंचाई की गई है ऐसा बिहार सरकार ने बताया है और इस को और आगे बढ़ाने के लिए कदम उठाए जा रहे हैं ।

जहां जहां पानी जमा होता है वहां पानी की निकासी के लिए भी बिहार सरकार ने योजना बनाई है ।

श्री जगन्नाथ मिश्र : मैं मंत्री महोदय से जानना चाहता हूं कि इस परियोजना का श्री गणेश कब हुआ और इसे कब समाप्त होना था ? विलम्ब का कारण क्या है इसके अलावा मैं यह भी जानना चाहूंगा कि बिहार की और खास कर उत्तरी बिहार की जो परियोजनाएं हैं जो विपन्न क्षेत्र की परियोजनाएं है वह समय पर सम्पन्न कर ली जायं इस के लिए सरकार किसी ठोस कार्यवाही के प्रश्न पर सहानुभूतिपूर्वक विचार करेगी ?

श्री सिद्धेश्वर प्रसाद : यह योजना 1960 में शुरू की गई थी । बिहार सरकार ने ऐसा बताया है कि यह योजना मूल रूप से जिस रूप में सोची गई थी . . . .

अध्यक्ष महोदय : सीधा प्रश्न है कि कब खत्म होगी ?

श्री सिद्धेश्वर प्रसाद : यहतो बताया मैंने कि 1976–77 में खत्म होने की आशा है

Declaration of sub-Urban areas around Calcutta, Bombay and Madras

*424. SHRI KRISHNA CHANDRA HALDER: Will the Minister of RAILWAYS be pleased to state:

(a) the sections declared Sub-urban Area around Calcutta, Bombay and Madras with distances covered by such Sub-urban Sections with the respective dates of declarations as Sub-urban Area; and

(b) whether any areas other than Calcutta, Bombay and Madras have been declared as Sub-urban Area and if so, the Sections covered by such sub-urban area with the distances covered by such Section and respective date of declaration of such Sub-urban Areas?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is laid on the Table of the Sabha. No other areas except Calcutta, Bombay and Madras have been declared as suburban areas for the purpose of charging season ticket fares as applicable to the suburban areas of Calcutta, Bombay and Madras.

STATEMENT

The specific sections in Bombay, Calcutta and Madras which have

been declared as suburban areas for the purpose of charging the lower rates of season ticket fares are as follows:—

		Distance (Kms.)
(i)	*Bombay area*	
	On Central Railway :	
	Bombay VT—Kalyan-Kasara	121
	Bombay VT—Kalyan-Karjat	100
	Bombay VT—Mahim-Mankhurd	22
	On Western Railway :	
	Churchgate-Virar	60
(ii)	*Calcutta area* :	
	On Eastern Railway	
	Howrah-Burdwan (*via* main Line)	95
	Howrah-Burdwan (*via* H. B. Chord)	95
	Howrah-Sheorphull-Tarakeswar	23
	Howrah-Bandel-Katwa	144
	Howrah-Bandel-Naihati	49
	DanKuni Dankhineswar-Sealdah (*via* Vivekananda Bridge)	22
	Sealdah-Budge Budge	26
	Sealdah-Canning	46
	Sealdah-Daimond Harbour	60
	Sealdah-Lakshmikantapur	62
	Sealdah-Ranaghat-Bagoola-Krishannagar City	100
	Sealdah-Ranaghat-Bagoola-Krishannagar City Including Shantipur Branch	112
	Sealdah-Ranaghat-Bagoola-Krishannagar including stations on Ranaghat-Bongaon Branch excluding Bongaon	97
	Sealdah-Dum Dum Cant-Bongaon	77
	Sealdah-Barasat-Hasanbad	75
	On South Eastern Railway:	
	Howrah-Balichak including Shalimar-Santragachi branch,	92
(iii)	*Madras area*	
	Southern Railway sections :	
	Madras Central-Trivellore	4
	Madras Central-Gummidipundi	48
	Madras Beach-Chingleput	61

The effiact dates from which these sections were declared as suburban areas by the Company Railways which were previously operating these Railways are not known

SHRI KRISHNA CHANDRA HALDER: Mr. Speaker, Sir, from the answer given I find that on the Western Railway, Churchgate-Virar has been declared as a suburban section.

Sir, Asansol-Durgapur—Durgapur is a most important industrial centre of our country—being an industrial area, I want to know from the Railway Minister whether any memorandum has been received from different organisations to declare Asansol-Burdwan section as a suburban section and whether unanimous decision was taken at the Consultative Committee's meeting for the Eastern Railway held recently to declare this as a suburban section.

SHRI MOHD. SHAFI QURESHI: Representations have been received from various organisations to declare the Burdwan-Asansol section as a suburban section. This was examined, but due to financial implications, this was not agreed to.

SHRI KRISHNA CHANDRA HALDER: In the consultative committee meeting of the Eastern Railway, a unanimous decision was taken in this regard. The hon. Minister Shri L. N. Mishra is from Bihar and he knows the position better. He knows very well that people from North and South Bihar come to Asansol and go from there to Calcutta. On the 9th December I had travelled from Asansol to Burdwan. I found that the Lucknow Express had come to Asansol three hours late. After the Coalfield Express there was no other train, and it reached Burdwan 3 hours 40 minutes late.

MR. SPEAKER: Let him come to his question straight.

SHRI KRISHNA CHANDRA HALDER: After the coalfield express there is no suitable train from Asansol to Burdwan or to Calcutta. So, there is hardship in Asansol and Durgapur areas. As you know, Sir, there are 95 coalmines in the Asansol area. The Burnpur steel factory is there. There is factory at Kulti. The Durgapur steel plant, the MAMC and other factories are there, and thousands of passengers travel every day from Asansol to Calcutta.

At the consultative committee meeting of the Eastern Railway, a unanimous decision was taken to declare Burdwan-Asansol as a suburban section. May I know when Government would declare it as a suburban section? Thousands of people are agitated over this issue. Before the agitation takes place, this section should be declared as a suburban section. May I know when Government will declare the Burdwan-Asansol section as a suburban section?

MR SPEAKER: This is the question Hour and this is not a speech or debating-hour. The hon. Member is depriving the other Members of their chance, by taking a lot of time himself. This question had been answered by him earlier.

SHRI MOHD. SHAFI QURESHI: The hon. Member has repeated the same question to which I had already given the answer.

SHRI KRISHNA CHANDRA HALDER: I want to know when it will be declared as a suburban section?

MR SPEAKER: He can ask him when the financial difficulties will be over. He had stated that it was not being taken up due to financial difficulties.

SHRI SAMAR MUKHERJEE: It is a question of priority. It is a lame excuse that is being given that there are financial difficulties. Throughout the railways, there are financial difficulties. That is why some assurance must be given in regard to the time when they will be in a position to declare it as a suburban section.

MR. SPEAKER: Let there be no arguments please.

SHRI SAMAR MUKHERJEE: When will they be declaring it as suburban section?

SHRI MOHD. SHAFI QURESHI: The railways do not intend to extend any further concessions on suburban sections. As regards this particular section, the matter was considered, but because of financial implications, a decision was taken not to extend this facility to this particular section.

SHRI B. K. DAS CHOWDHARY: According to the statement, some areas in Bombay, Calcutta and Madras have been declared as suburban areas for the purpose of charging the lower rates of season ticket fares. I would like to know whether the same slab system will be followed in all the three places, in the near-about areas, declaring them as suburban areas for charging this lower rate of season ticket? If there is any variation now, what is the variation between Calcutta, Bombay and Madras?

SHRI MOHD SHAFI QURESHI: There are specific sections of the cities of Calcutta, Bombay and Madras, which were declared as suburban much before 1948. due to historical reasons we have to continue this classification of Bombay, Calcutta and Madras, and so, the rates are comparatively lower, but we are not going to extend this facility to other suburban areas.

DR RANEN SEN: From the statement I find that the South-Eastern Railway has been excluded from this category. Kharagpur is such a big area and having a direct link with Calcutta, and thousands of passengers go daily from there to Calcutta. May I know why the Kharagpur-Howrah section has been excluded? I find from the statement that there is mention about Sealdah-Ranaghat, Bagola-Krishnanagar, including stations on Ranaghat-Bongoan branch excluding Bongaon, but later on, I find Sealdah-Dum Dum Cant.-Bongaon. I do not understand how Bongaon is excluded in one case and included in the other case.

SHRI MOHD. SHAFI QURESHI: The Calcutta area is already having this concession on 19 sections as compared to three in Madras and 4 in Bombay. As I have said, there is no plan to extend this facility to other sections, because we are heavily losing on these sections already.

DR. RANEN SEN: Why is Bongaon included in one section and excluded in the other section?

SHRI MOHD. SHAFI QURESHI: Because that is a different section.

SHRI B. V. NAIK: Apart from historical accident, may I know the reason why the Calcutta suburban section gets the favour, for more than a thousand k.m., of the concessional fares, while Bombay hardly gets for 250 or 300 k.m. while most unfortunately Madras gets for hardly 150 k.m.? May I know why there is this disparity between these three big cities? May I know whether the matter will be looked into with a sense of impartiality so that all the big cities in the country could get a similar treatment and we do not rely only on financial and historical grounds to maintain the *status quo*? Will the disparities be removed?

SHRI MOHD. SHAFI QURESHI: As between Bombay, Madras and Calcutta, there are no disparities. So, there is no question of disparities.

SHRI B. V. NAIK: What about the mileage?

SHRI MOHD. SHAFI QURESHI: There is no disparity in fares.

SHRI THA KIRUTTINAN: In the statement, I find that:

> "The exact dates from which these sections were declared as suburban areas by the Company Railways which were previously operating these Railways are not known.".

I feel that these areas were declared as suburban areas many many years ago. During all these years, so many developments have taken place, and so many colonies have come up. So, I would like to know whether a new look will be given to the whole matter and a new list will be prepared and the financial benefit will be extended to the employees working in the railways in all these areas, by way of house rent allowance, city compensatory allowance etc.?

SHRI MOHD. SHAFI QURESHI: Concessional season tickets are issued on all-India railways, but suburban railways are enjoying a little bit of marginal concession over the other season-ticket holders. My hon. friend has read from the statement to the effect that the dates from which these were declared as suburban areas were not known. But if he would have gone a step further, he would have found that in the second sentence it has been stated that this was done prior to 1949. I have already stated that we do not have any plans to extend these concessions to other suburban sections.

SHRI SAMAR GUHA: The problem of overpopulation and lack of housing accommodation is a serious one in all the capital cities and industrial cities....

MR. SPEAKER: How does it arise out of the main question?

SHRI SAMAR GUHA: Facilities are given only to Calcutta, Bombay and Madras....

MR. SPEAKER: How is this relevant to the main question? How does he connect it with the main question?

SHRI SAMAR GUHA: It is relevant. I want to know whether the whole issue will be reviewed particularly in relation to the capital cities and the industrial cities. These facilities are only for the three big cities. What about other capital cities, and why not other industrial centres?

MR. SPEAKER: Please sit down. That has no relevancy to the main question.

SHRI SAMAR GUHA: These facilities are only limited to these three big cities. Cannot I ask about other industrial cities and other capital cities where the daily passengers are facing similar problems? Why the same facilities should not be extended to them? I want to know whether the Government is going to review this policy.

MR. SPEAKER: The main question was about the three big cities.

SHRI SAMAR GUHA: With regard to the other areas....

MR. SPEAKER: I said it is not relevant to the question. If you go on shouting there is no use.

SHRI SAMAR GUHA: If you be a little liberal....

MR. SPEAKER: The main question is clear. I am not allowing you. It is not relevant to the main question. Shri Muruganantham.

By shouting, you are trying to make this relevant. I have decided that it is not relevant. I am not going to allow it. Please sit down.

I have not allowed you. I have not permitted you. Nothing will go on record. I have not called you to speak. I am not permitting you. I have held it as irrelevant. I am sorry. Even on reconsideration, I hold the same view. Shri Muruganantham.

Exploration for Oil and Gas in Andaman Islands

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*427. SHRI VASANT SATHE:

SHRI K. M. MADHUKAR:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether recently some possible oil and gas bearing structures have been found in Andaman Group of Islands;

(b) if so, the salient features thereof and when the drilling will be started and what will be the estimated cost of the drilling; and

(c) what other drillings have been undertaken in different parts of the country during 1973 and how many other are expected to be undertaken in 1974 and the main features thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) Yes, Sir.

(b) The structures are faulty anticlines. To be able to commence drilling operations in the area, a large volume of civil works and other preparatory actions, will have to be undertaken. From the time a definite decision to undertake drilling in the area is taken, as a very rough estimate, it may take about 2½ years to commence drilling the first well. The total expenditure upto the completion of drilling of the first well in the area, may be of the order of Rs. 6.83 crores; this is only a very rough estimate.

(c) During 1973, drilling was continued/carried out on various structures in the Cambay Basin of Gujarat, Banni area of Kutch, Brahmputra Valley of Assam, Baramura area of Tripura, Cauvery Basin of Tamil Nadu and Pondicherry, Surinsar area of J & K and in the Arabian Sea.

In 1974, drilling is expected to be continued in the Cambay Basin, Brahmputra Valley, Baramura, Cauvery Basin and in the Arabian sea; and possibly extended to the Surma Valley of Assam, Southern coastal area of Kutch and the Galsi area of West Bengal.

SHRI VASANT SATHE: In the drilling that has been carried on up till now, up to 1973, how much oil—what quantity—and of what value has been extracted, or, to the extent of what volume and what value have you been able to locate in these areas?

SHRI D. K. BOROOAH: So far this year we have done 8 exploratory wells in Gujarat and 17 developmental drillings, in Assam three exploratory and 5 developmental. The total comes to 33 exploratory and 1122 developmental. Only in Tripura we have come across gas....

MR. SPEAKER: The question relates to Andaman Islands.

SHRI D. K. BOROOAH: We cannot start drilling in Andamans. Part (c) of the question relates to other areas.

SHRI VASANT SATHE: My question has not been answered. When you make explorations, how much oil do you envisage to extract? I mean the oil potential.

SHRI D. K. BOROOAH: There is a slight misunderstanding. What the hon. Member asks is: what is the report of the Seismic survey, geological survey, on the basis of which we drill the well. While drilling we come across oil; we succeed. Sometimes we do not. In this particular case, we have found gas in one of the places.

SHRI VASANT SATHE: There is confusion in understanding. I had not stated about exploration. After exploration, in certain areas you are likely to strike gas or oil. To what extent you have been successful in finding the estimates of deposits?

SHRI D. K. BOROOAH: I am afraid the hon. Member has misunderstood the basic concept of drilling. Drilling is based on geological and seismic reports. Once you start drilling, unless you strike oil, you do not know what is the deposit here. We have not struck oil so far in the exploratory wells; in one case we have struck gas.

DR. HENRY AUSTIN: I was wandering whether in view of the seismic and geological surveys carried out on the Arabian Coast near Vyppeen in Cochin and in view of the oil scarcity, the hon. Minister will give top priority to drilling in the Arabian Sea. I myself submitted some notes about oil prospects in the above mentioned area to your predecessor in office.

SHRI D. K. BOROOAH: Yes, Sir. The Arabian Sea is certainly prospective. These areas are being considered for future drilling.

SHRI SAMAR GUHA: May I know whether the drilling project in regard to Godra area has been given by in West Bengal? May I also know whether the attention of the Government has been drawn to a report published recently in the West Bengal newspapers that there was oil drilling and oil was struck in Krishnanagar in Nadia district?

SHRI D. K. BOROOAH: Both are correct. Oil drilling in one area has been given up and there was a news item that oil was struck in another area.

SHRI SAMAR GUHA: May I know whether there is any prospect of oil in the Krishnanagar area?

SHRI D. K. BOROOAH: That can be known only after a detailed geological survey. Merely because you get a few drops of oil here and there, you cannot come to any conclusion. There should be enough proof.

SHRI BIREN DUTTA: May I know whether any new place has been brought under exploration in Tripura?

SHRI D. K. BOROOAH: Yes, Sir.

SHRI BIREN DUTTA: May I know whether any new rigs have been installed in Baramuri in Tripura?

SHRI D. K. BOROOAH: So far as Baramuri in Tripura is concerned, we have already gone to the depth of 2,200 metres and we have got trace of gas. The projected depth is 4,500 metres. We have to see what quantum of gas we get at that depth.

SHRI P. VENKATASUBBAIAH: The hon. Minister has just now mentioned that drilling is being carried out in Cauveri basin. May I know whether any geological and seismic survey is being conducted in the Godavari basin?

MR. SPEAKER: What I propose is that the hon. Minister may hold a meeting of all the hon. Members who can give him some information about gas or oil. I cannot deal with them in the supplementaries.

SHRI D. K. BOROOAH: Yes, Sir.

Non-utilization of the Press Brake Plant Imported for FACT Engineering

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*428. SHRI RAMACHANDRAN KADANNAPPALLI:

SHRI VAYALAR RAVI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the press brake and plate bending machines imported for the FACT Engineering Works six months back have not been erected so far resulting in huge loss in production to the Company and leaving the capital idle; and

(b) if so, the reasons for not erecting them so far and the steps taken to erect them early?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The machinery items in question were received in April/June 1973 and these were to be installed in the premises occupied by the Workshop of the Udyogamandal Division. Their erection was held up because of the delays etc. in completing the new premises for the Workshop along with the requisite facilities. These facilities are now being provided and the machines are expected to be installed within the next 4-5 months.

SHRI RAMACHANDRAN KADANNAPPALLI: This is another glaring example of the inefficiency and indifference of the management towards FACT. The press brake machine purchased at a cost of Rs. 18 lakhs and the plate bending machine purchased at a cost of Rs. 8 lakhs rotting for a long time even though they are vital profit earning equipments for Fact Engineering Works. The Minister has admitted in his reply that there will be a delay of another four to five months. Who is responsible for this delay and what steps are you going to take against the person concerned?

SHRI SHAHNAWAZ KHAN: These machines were to be erected in a workshop which is already occupied. The idea was that the workshop was to be moved to another building and these machines were to be erected in this workshop. In the place where this workshop was to be moved certain additional facilities had to be created and the civil engineering works also took some time. Those works are complete and the new machines would be installed in the next four or five months.

SHRI RAMACHANDRAN KADANNAPPALLI: The Works Manager, who is the head of the Fact Engineering Works, sent 14 reminders to the CME to take the necessary steps to erect the machinery. Yet, nothing has been done. The FACT management is a scandal of the first magnitude. Will the hon. Minister, in the light of his earlier statement, institute an inquiry against the Chairman and the officers, so far as this particular instance is concerned?

SHRI SHAHNAWAZ KHAN: This question deals with the erection of certain machines. The machines will be set up in the next four or five months. They are doing it as fast as they can.

SHRI VAYALAR RAVI: Before asking my question, I want to record my protest against the answer that has been given where vague words like "etc." have been used. The House should not be treated lightly like this. The Minister must give correct answers to the House.

In fact, this is only one minor part of the whole affair. The working of the FACT was raised in this House by way of a discussion some time back. Unfortunately, the hon. Minister tried to defend the inefficient and very indifferent management. I am sorry about it. I would like to know from the hon. Minister whether there is any proposal before the Government to instal the heavy plates and vessels plant at Fact Engineering Works. This delay in the erection of the plant has occurred because the management did not think in advance of the place where it is to be erected. The Minister tried to simplify the whole thing. When the machinery was ordered four years ago what was your plan? That should be planned at the time when an order is placed and not when the machinery actually arrives. The delay is certainly due to the indifference of the management. I want to know what steps you have taken against them for this.

SHRI SHAHNAWAZ KHAN: When these machines were ordered, as I explained earlier, the idea was to erect them in the workshop....

SHRI VAYALAR RAVI: When?

SHRI SHAHNAWAZ KHAN: These were received about six months ago. When we wanted to shift the workshop the employees insisted that they should be provided with a canteen and certain other facilities. We had to provide those facilities. We would be setting up the new machines in the next four or five months. I do not think there is any undue delay.

SHRI VAYALAR RAVI: Fourteen reminders every serious matter.

MR. SPEAKER: There should be no debate on this.

SHRI VAYALAR RAVI: The Minister is not answering the questions.

MR. SPEAKER: He is answering it.

SHRI VAYALAR RAVI: Fourteen reminders were sent to the management and the Chairman. He can admit the mistakes.

SHRI K. P. UNNIKRISHNAN: Is the Minister aware of the deliberate policy of the present management to discourage any new orders being given to FACT Engineering Works? If not, would he give the House the figures for the last three years of the works undertaken by the FACT Engineering Works and also the present position in the order book?

MR. SPEAKER: How is it relevant to this question?

SHRI K. P. UNNIKRISHNAN: This is a related question. The House is entitled to know the truth. They cannot simply give "etc." as a reason. We cannot be treated like that.

MR. SPEAKER: I would request my dear young friends to try to sit separately from each other, because they are fire brands. Shri Lakkappa.

SHRI K. LAKKAPPA: The working of FACT has been discussed at various times in the House and also outside. It is a scandal and many derogatory remarks were made regarding the inefficient running of FACT even earlier, not only in the present Lok Sabha but also in the previous Lok Sabha.

MR. SPEAKER: I called him to put the next question, which is standing in his name. If he does not want to put it, I will pass on to the question after that.

SHRI K. LAKKAPPA: This delay in erecting the machinery which has been purchased at enormous cost is because of a deliberate policy. This has resulted in a loss of several lakhs of rupees to the factory. Because of this the production had to be slashed down.

MR. SPEAKER: I want to remind him that I did not call him to ask a supplementary on this question. I called him to ask the next question.

SHRI K. LAKKAPPA: Anyhow, I have put a supplementary to the hon. Minister.

MR. SPEAKER: I have not allowed it. You may put the other question.

SHRI K. LAKKAPPA: Then, shall I withdraw my supplementary?

MR. SPEAKER: He may call his question.

Committee to Study Foreigners' Stake in Drug Industry

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*429. SHRI K. LAKKAPPA:
SHRI P. GANGADEB:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have decided to set up another Committee

to look into the implications of the foreigners' stake in the drug industry;

(b) if so, whether the decision has been implemented; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). A proposal to set up a highlevel committee to enquire into various aspects of the drug industry is under consideration and a decision is expected to be reached shortly.

SHRI K. LAKKAPPA: The situation in this country is that spurious drugs are being manufactured and distributed all over the country. Further, the drug industry is under the stranglehold of foreign companies. As it is the responsibility of the Government to supply genuine drugs at reasonable prices to the people, how is this Committee going to streamline the distribution of drugs and control the foreign drug companies?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): This Committee will go into this question.

SHRI K. LAKKAPPA: Will the proposed committee streamline the procedure for the take-over of the foreign companies?

SHRI D. K. BOROOAH: What the hon. Member stated earlier will certainly constitute one of the main purposes of the Committee.

SHRI K. LAKKAPPA: What were the guidelines given by the previous Committee that was appointed by the Government? Why the report of that Committee has not been taken into consideration. What are the conflicting views that have been expressed in this Committee?

SHRI D. K. BOROOAH: I am not aware of any previous Committee of the standing of the Committee that we are going to appoint. This is going to be a committee consisting of Members of Parliament and experts. There will be no representation to the drug industry in this. They will look at the problem from the point of view of the national interest and nothing else. Therefore, we hope this Committee will be able to study the problem from the point of view of the common man, rather than from the point of view of the business interests.

SHRI C. K. CHANDRAPPAN: The Minister had stated that they have appointed a Committee. What are the terms of reference of that Committee?

SHRI SHAHNAWAZ KHAN: It is a rather lengthy term of reference. The Committee is mainly to enquire into the progress made by the industry and the status achieved by it with special reference to the introduction of the latest development in technology in the production of basic drugs to meet satisfactorily the growing requirements of the national health and medical programme to enquire into the performance of the public sector drug units and recommend measures necessary for ensuring that the public sector commands leadership role not only in the manufacture of basic drugs and formulations and in research and development but also makes available essential drugs to the consumers at reasonable prices; to enquire into the status of the various sectors of the industry namely, the organised sector both the foreign and the Indian companies and the small scale sector and to make recommendations for promoting the rapid growth of the drug industry, particularly, the Indian and small scale industries sectors.

SHRI DINESH CHANDRA GOSWAMI: The Government is setting up a committee to discuss about the implications of the foreigners' stakes in the drug industry. Has it come to the notice of the Government that many of these concerns have set up small firms under different names in different States to avoid the implications of large business houses and what is the Government doing to check this evil?

SHRI SHAHNAWAZ KHAN: The Government is aware of these activities and this will certainly be one of the subjects which will be looked into.

Rationing of Petrol in view of uncertainty in crude supplies

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*430. DR. RANEN SEN:

SHRI VEKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether in view of the uncertainty about crude oil supply from West Asia and rapidly increasing prices, has Government decided to introduce rationing in petrol; and

(b) if so, the salient features thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) and (b). In view of the uncertainties of crude oil supplies and rapidly increasing prices, State Governments and Union Territories have been advised to finalise plans for introduction of rationing at short notice. Details of the scheme are being worked out by the States in consultation with this Ministry.

DR. RANEN SEN: In view of the fact that the supply of crude is becoming more and more difficult with the introduction of the auction system etc., may I know whether the Government has actually checked up with the State Governments as to how far they have proceeded in regard to the introduction of rationing of petrol. If so, what advancement has been made?

SHRI D. K. BOROOAH: As I have said before in this House, we discussed the matter with the Chief Secretaries and then we also discussed the matter and brought it to the notice of the Chief Ministers and we have also written to them. They say that they are keeping the scheme ready. But, as I said, we have not come to any decision that we will go in for rationing the supplies. But if our supplies are cut off in substantial quantities, then it may be that we may be forced to go in for rationing. Therefore, we are keeping an alternative scheme of rationing ready for very rainy days.

DR. RANEN SEN: Is the Minister aware that only yesterday, the Finance Minister on the floor of this very House has said that rationing of petrol is ruled out on the ground that it will create administrative difficulties. May I, therefore, know whether the Petroleum and Chemicals Ministry and the Finance Ministry are working at loggerheads or whether they are working together in order to find out whether rationing is necessary or whether it is feasible.

SHRI D. K. BOROOAH: We are working entirely together and having faith in God, we would also keep the powder dry.

DR. RANEN SEN: Mr. Chavan yesterday rejected this idea.

SHRI D. K. BOROOAH: We have decided not to go in for it because it will depend upon circumstances which are not obtaining to-day. But, if the availability is completely or very substantially cut off and if there is difficulty even to meet the basic requirements, then, in that case, perhaps we

may be, howsoever unwilling we may be, forced to do so. In order that we may not be caught napping, we have prepared for all these things.

SHRI TRIDIB CHAUDHURI: The Minister stated that he has asked the State Governments to keep rationing scheme ready. May I know whether the State Governments' Chief Sceretaries or Chief Ministers, whoever may be the authorities in this regard in the States would be left free to devise their own schemes or whether the Government of India themselves—because it is an All India question—will frame some kind of guidelines so that there might be some type of uniformity, equity and justice in regard to the rationing of petroleum throughout the country?

SHRI D. K. BOROOAH: We have advised them to draw up schemes in consultation with this Ministry here. Of course there will be basic principles. But conditions vary from State to State in this country so that those conditions have also to be taken into account. The guidelines and the principles will have to be hammered out in consultation with the Ministry here.

SHRI PARIPOORNANAND PAINULI: In view of the fact that imported crude oil costs more particularly purchase from Caltax and Oil India than the Oil and Natural Gas Commission, may I know from the Minister whether in future parity will be maintained in purchase of the crude oil?

SHRI D. K. BOROOAH: Price varies from country to country and according to the quality also. So far as petroleum products based on crude are concerned, the price is the same.

श्री शंकर दयाल सिंह : पेट्रोल की जो कीमत बढ़ाई गई थी, उस का एक कारण यह था कि पेट्रोल की खपत में कमी की जायगी । क्या राशनिंग के बाद सरकार मूल्य में कुछ कमी करने का विचार करती है ?

श्री अध्यक्ष महोदय : राशनिंग को तो वे मानते ही नहीं हैं ।

श्री शंकर दयाल सिंह : अगर राशनिंग हो जायगा तो क्या मूल्य में कुछ कमी की जायेगी ?

MR. SPEAKER: These hypothetical questions are not allowed.

श्री आर० वी० बड़े : हमारे यहां मध्य प्रदेश में पेट्रोल पम्प पर एक आदमी को 5 लिटर से ज्यादा पेट्रोल नहीं मिलता है—क्या ऐसा पेट्रोल पम्पवालों ने खुद ही किया है या सरकार ने कोई राशनिंग किया है ?

श्री देवकान्त बरुआ : यह राशनिंग नहीं है, स्थानीय नियन्त्रण कर के शायद बांट दिया है । इस को राशनिंग नहीं कहा जाता ।

WRITTEN ANSWERS TO QUESTIONS

Allotment of Petrol Pumps to Educated Unemployed

*425. SHRI S. A. MURUGANANTHAM: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are still allotting petrol pumps to the educated unemployed as a measure to help them; and

(b) if so, how many such pumps have so far been allotted in each State?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) IOC is at present giving priority to the defence personnel in allotment of their dealerships/agencies. Only when no suitable candidates are available under the defence

scheme and in case of 'B' class retail outlets IOC advertises award of the dealerships and among the applicants who respond to the advertisement preference is given to the unemployed engineers/graduates from low income group families. Government have also recently decided to earmark 25 per cent of IOC's dealerships/distributorships to the suitable applicants belonging to Scheduled Castes/Tribes.

(b) Statewise number of petrol pumps allotted to unemployed graduates/engineers upto October, 1973 are as under:—

	States	Pumps allotted
1.	Delhi (U.T.)	12
2.	Rajasthan	3
3.	Punjab	16
4.	Uttar Pradesh	8
5.	West Bengal	18
6.	Bihar	16
7.	Assam	3
8.	Manipur	1
9.	Tripura	1
10.	Maharashtra	4
11.	Gujarat	8
12.	Madhya Pradesh	6
13.	Andhra Pradesh	22
14.	Orissa	24
15.	Mysore	24
16.	Tamil Nadu	8
17.	Kerala	7
18.	Goa	1
19.	Himachal Pradesh	1
20.	Haryana	2
	TOTAL	216

Pilferage of Drugs from Gorakhpur Hospital (North Eastern Railway)

*425. SHRI M. RAM GOPAL REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether drugs worth about Rs. 6,500 were recently pilfered from North Eastern Railway Hospital, Gorakhpur;

(b) if so whether any arrest has been made in this connection; and

(c) the action taken against the persons found guilty?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). Yes, Sir. On 7-11-73, drugs worth approximately Rs. 5,000/-, bearing markings of the Central Hospital, North Eastern Railway, Gorakhpur were recovered from Bhatia Medical Store, Gol-Ghar, Gorakhpur. The proprietor of the firm was arrested under Section 3 of the Railway Property (Unlawful Possession) Act and enquiries into the case are in progress.

Re-Classification of Railway Officers Cadres

*431. SHRI VIRBHADRA SINGH:

SHRI YAMUNA PRASAD MANDAL:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to re-classify the Railway Officers' cadres; and

(b) if so, the salient features thereof?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): (a) Yes, Sir.

(b) 250 posts of Assistant Officers are proposed to be re-classified as

Senior Scale posts. 500 posts in the Senior Scale are proposed to be re-classified as Junior Administrative grade posts. 218 posts in the Junior/Inter Administrative grade are proposed to be re-classified as Senior Administrative posts.

Proposal to Purchase Patents of Drugs from Foreign Countries

*432. DR. SARADISH ROY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are considering any proposal to purchase the patents of the important drugs from foreign countries outright instead of allowing foreign controlled drug companies to sell their patents separately to the various drug manufacturers to mint money; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir.

(b) Does not arise.

पश्चिम रेलवे के कुछ रेलवे स्टेशनों पर वातानुकूलित विश्रामालयों का निर्माण

*433. **श्री ओंकार लाल बेरवा :** क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पश्चिम रेलवे के कुछ रेलवे स्टेशनों पर वातानुकूलित विश्रामालयों का निर्माण किया जा रहा है ;

(ख) यदि हां, तो ऐसे विश्रामालयों का निर्माण किन-किन रेलवे स्टेशनों पर हो रहा है; और

(ग) इनका निर्माण ऐसे समय में करने के क्या कारण हैं जब देश में आर्थिक संकट विद्यमान है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) जी, नहीं । इस समय पश्चिम रेलवे के किसी स्टेशन पर कोई भी वातानुकूलित विश्रामालय बनाने का प्रस्ताव नहीं है ।

(ख) जिन स्टेशनों पर वातानुकूलित विश्रामालय पहले से ही विद्यमान हैं, उनके नाम नीचे दिए गए हैं :—

स्टेशन	विश्रामालयों की संख्या
1. अहमदाबाद	दो
2. अजमेर	एक
3. जयपुर .	एक

(ग) ऊपर (क) के उत्तर को देखते हुए, प्रश्न नहीं उठता ।

Disposal of Machinery by DESU

*434. SHRI SYAM SUNDER MOHAPATRA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Delhi Electric Supply Undertaking had purchased any machinery which it proposes to dispose of even without using it;

(b) whether this machinery was imported for some specific project; and

(c) if so, the reasons for not making use of machinery and disposing it of and the loss/profit involved in the transaction?

THE MINISTER OF IRRIGATION AND POWER (SHRI K. C. PANT): (a) to (c). Details of the machines purchased by Delhi Electricity Supply Undertaking and proposed to be disposed off by them are given below:

(i) An 80 Ton Wagon Tippler was purchased for un-loading coal at A and B Stations and the 15 MW station at Rajghat. It could not, however, be utilised as land required for its installation had to be handed over to the Ministry of Education for a sports village. The question of utilising this equipment for any of the Thermal Power Stations to be completed during the Fifth Five Year Plan is under consideration.

(ii) A 36 Ton Wagon Tippler was purchased for un-loading coal at the Indraprastha Power Station. The equipment was, however, not installed. With the introduction of box type wagons exclusively for coal transport to the Station by the Railways this equipment has become surplus. Efforts are being made to dispose of the equipment.

(iii) Double Housing Vertical Turning and Boring Machine was purchased for the workshop for the Indraprastha Power Station. Experience of running the power plant has indicated that considering the few big size jobs likely for the power plant, it would not be economical to instal the machine. Efforts are, therefore, being made to dispose it off.

The profit/loss involved would be known after the equipment has been disposed off.

Facilities to Assistant Station Masters, Ajmer Station (Western Railway)

*435. SHRI PRAVIN SINH SOLANKI: Will the Minister of RAILWAYS be pleased to state:

(a) what are the facilities provided to the Assistant Station Masters for the conduct of their business which involve the safe running of the Passenger tarins and goods trains at Ajmer station of Western Railway;

(b) whether the Railway Accidents Inquiry Committee-1968, had suggested that the Train Passing staff should be allowed to work without any interference;

(c) whether Tea and Refreshment Stall, allowed just by the door of the Assistant Station Master's Office at Ajmer station, is against the Safety Rules; and

(d) how many times during the last three years, the Traffic Supdt. (Safety), General Manager, C.O.P.S. and Divl. Superintendent inspected the Ajmer station and whether any of these Officers had taken a note of the conditions in which the ASMs at Ajmer station are working?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Facilities ordinarily provided to ASMs for conditions in which the ASMs at Ajmer station also.

(b) The Railway Accidents Inquiry Committee 1968 made no specific recommendation of the type referred to.

(c) The tea refreshment stall located near the door of the ASM's Office has since been shifted away. It did not, however, jeopardise safety.

(d) Ajmer station has been inspected by T.S. (Safety) on 4 occasions, by General Manager on ten occasions, by C.O.P.S. on 6 occasions and by Divl. Supdt. on 16 occasions during the last three years.

There has been no unusual working and as such the question of taking note of such conditions did not arise.

Leave Reserve for Switchman in Dhanbad Division (Eastern Railway)

*436. SHRI CHANDRA SHEKHAR SINGH:
SHRI RAMAVATAR SHASTRI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the sanctioned strength of 20 per cent Leave Reserve for Switchman is adequate to cops with the actual requirements for leave casualties and other purposes;

(b) the total number of Switchmen who applied for LAP and Casual leave in Dhanbad Division during 1972 and 1973 and the reasons for not granting leave;

(c) the total number of Switchmen reported sick mentioning the period of their sickness and the cause of large number of cases of sickness; and

(d) the justification for not sanctioning the percentage of leave reserve of Switchmen at per with the Station Masters?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (d). The question of upward revision of the Leave Reserve is under consideration of the Railway Administration.

(b) During 1972, 201 Switchmen applied for LAP and 184 Switchmen applied for Casual Leave. During 1973, 211 Switchmen applied for L.A.P. and 106 Switchmen applied for Casual Leave.

Normally leave applied for has been sanctioned. There have been cases where leave could not be sanctioned readily in the exigencies of service.

(c) 198 Switchmen during 1972 and 321 Switchmen during 1973 reported sick for varying periods, and for various causes.

Proposal for Giving Concessions to Scooter and Auto-Rickshaw Owners

*437. SHRI SHRIKISHEN MODI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are considering giving some concession to moped auto-rickshaw and scooter owners for the recent increase in the price of petrol; and

(b) if so, the type of concession?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) Yes, Sir.

(b) By some concession in Excise duties on Scooter tyres etc.

Expenditure on Godavari Barrage Project

*438. SHRI ANNASAHEB GOTKHINDE: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the estimated expenditure on Godavari Barrage Project;

(b) whether concurrence to clearance of this Project was asked for from concerned States, which are parties to Godavari water dispute; and

(c) if not, the reasons therefor?

THE MINISTER OF IRRIGATION AND POWER (SHRI K. C. PANT): (a) The Godavari barrage project of Andhra Pradesh is estimated to cost Rs. 26.59 crores.

(b) No. Sir.

(c) The Godavari barrage project is only a replacement scheme, envisaging the construction of a new barrage in

place of the existing old anicut which is in a dangerous condition. The project has been approved subject to the condition that, with the construction of the new barrage in place of the old anicut, there should not be any increase in the water utilisation.

Foreign owned Chemical Unit resorting to Club Selling

*439. SHRI M. SUDARSANAM: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a foreign owned chemical company is reported to have been resorting to club selling of its products by forcing consumers to lift less moving items like butanol and butyl acetate along with their requirement of polythylene powder or benzene;

(b) if so, the facts thereof; and

(c) the action taken by Government in the matter?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) to (c). No complaint from any processor of law density polythylene and/or benzene has been received in the Ministry of Petroleum and Chemicals regarding club-selling of polythylene and/or benzene with butanol and butyl acetate.

Memorandum by Guntakal Division Committee of Railway Line Union (Madras)

*440. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the General Manager, Southern Railway has received a memorandum dated the 14th September, 1973 from the Guntakal Divisional Committee of the Railway Labour Union (Madras) regarding certain staff problems;

(b) the broad features of the problems raised in the memorandum; and

(c) what action has been taken to solve the problems raised?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). A memorandum dated 14-9-1973 was not accepted by the General Manager, Southern Railway when presented to him during his visit to Guntakal. A copy thereof was later received by post along with another letter.

The points contained in the memorandum and the position in their regard are given below:—

Points 1	Remarks 2
(*i*) Filling up of vacancies, utilisation of substitutes as Cabinmen and Levermen and engaging Salaiwalas on daily wages.	Substitutes are not utilised as Cabinmen and Levermen. There are some vacancies in the Division and action is already in progress to fill them up.
(*ii*) Enhanced wages for the extra casual labourers.	The rates were enhanced in May, 1973 from Rs. 3/- to Rs. 3·50.
(*iii*) Posting of E. N. T. & Eye Specialist in the Railway Hospital at Guntakal.	Whenever necessary, the services of the Eye Specialist attached to the Railway Hospital, Mysore and the E. N. T. Specialist attached to the Railway Hospital, Perambur are requisitioned.
(*iv*) Payment of arrears to engineering staff in regard to night duty allowance, travelling allowances etc.	The arrears have been paid in many cases and necessary action to make payments has been taken in regard to the other cases.

1	2
(v) Regularisation of the period of absence of 7 temporary employees who participated in the Token Strike of 1968.	It has been decided to treat the period of absence as 'Duty'
(vi) Conversion of temporary posts of Hammals into permanent ones and confirmation of hammals.	Out of 189 temporary posts, 111 posts were already permanent and the remaining 78 have been made permanent from 1-10-73. There are already 110 permanent employees against these posts : the question of confirming the others will receive considerating after they are screened for regular appointment.
(vii) Re-Classification of certain Gatemen from 'excluded' to 'continuous!'.	This depends upon the road traffic and the matter is receiving consideration.
(viii) Improving water supply at Guntakal	The question of sinking additional deep bore wells to augment the water supply is under consideration.

Set-back to Oil Exploration in Arabian Sea

*441. SHRI C. JANARDHANAN:
DR. H. P. SHARMA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government's plan for oil in the Arabian Sea is likely to receive a set-back as the drilling ship has been found unsuitable for the job; and

(b) if so, the broad details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) No, Sir.

(b) Does not arise.

Break-down in Bhakra Power Supply

*442. SHRI BANAMALI PATNAIK: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the number of times there has been break-down in the Bhakra Power Supply during the current year so far;

(b) the reasons therefor; and

(c) the steps taken or proposed to be taken for the smoother working of the Bhakra Power House.

THE MINISTER OF IRRIGATION AND POWER (SHRI K. C. PANT): (a) There had been failure of Bhakra power supply on 4 occasions during the period January 1973 to the end of November 1973.

(b) and (c). The failures occurred due to faults simultaneous with heavy system load demand when spinning reserve capacity was not available. The faults were mostly in the automatic voltage regulator system or due to the mal-functioning of protective relays. The constituent States to whom power supply is being given from the Bhakra System have been advised to restrict their loads within the allocations made from time to time, so that over loads causing machines trippings do not occur. The automatic voltage regulator system has been checked and set right; and the protective relays have been adjusted where necessary to prevent thir mal-operation.

महू-खण्डवा एक्सप्रेस में अक्तूबर, 1973 में एक कोच का न जोड़ा जाना

4142. **डा० लक्ष्मीनारायण पांडेय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अक्तूबर, 1973 में चितौड़गढ़ में महू-खण्डवा एक्सप्रेस में लगने वाला एक यात्री डिब्बा जो उदयपुर से आता है' उक्त गाड़ी में नहीं लगाया गया जिससे यात्रियों को एक दिन वही रहना पड़ा; और

(ख) यदि हा, तो इस त्रुटि के लिए उत्तरदायी व्यक्तियों के नाम क्या हैं तथा इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) और (ख) उदयपुर सिटी और महू के बीच सीधा चलने वाला पहले, दूसरे और तीसरे दर्जे का मिला-जुला सवारी डिब्बा अक्तूबर, 1973 में केवल एक दिन नहीं चला। 26-10-73 को यह सीधा सवारी डिब्बा रद्द कर देना पड़ा था क्योंकि उस दिन इससे मेल लेने वाली गाड़ी अर्थात् 16 अप चेतक एक्सप्रेस को चितौड़गढ़-अजमेर खण्ड पर मांडल और लम्बिया स्टेशनों के बीच एक माल गाड़ी पटरी से उतर जाने के कारण मावली और मारवाड़ के रास्ते मोड़ दिया गया था।

Proposal to set up another Public Sector Undertaking for New Fertilizer Projects

4143. SHI MARTAND SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have proposed to set up another Public Sector Undertaking to take care of some of the new fetrilizer projects to be set up in the public sector; and

(b) if so, the main features thereof

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir; the proposed public sector undertaking is intended to take care of the three public sector fertilizer plants to be set up in the North-West region.

(b) The proposed undertaking would be structured generally on the pattern of the existing public undertakings, wholly owned by Government.

Decline in Production at Gorakhpur Unit of F.C.I.

4144. SHRI RANABAHADUR SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there has been a sharp decline in production at the Gorakhput Unit of the Fertilizer Corporation of India; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The production during April|October, 1973 (37,100 tonnes in terms of nitrogen) was somewhat lower than that in the corresponding period of the previous year (i.e., 39,300 tonnes in terms of Nitrogen). The production shortfall was due to the problems encountered by the plant on account of power failures and voltage dips including total stoppage of power for 4 days in May 1973.

मध्य प्रदेश में सिंचाई और बिजली परियोजनाओं की प्रगति

4145. **श्री गंगाचरण दीक्षित :** क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में सिंचाई और विद्युत् परियोजनाओं की प्रगति काफी मन्द रही है ;

(ख) यदि हां, तो इसके क्या कारण हैं, और

(ग) इन परियोजनाओं की प्रगति में द्रुत गति लाने के लिए क्या कार्यवाही की जा रही है ?

सिंचाई और विद्युत् मंत्रालय में उपमंत्री (श्री सिद्धेश्वर प्रसाद) : (क) से (ग). मध्य प्रदेश की कुछ सिंचाई परियोजनाएं जैसे चम्बल, तवा और बर्ना, लागत में वृद्धि, धन की कमी, निर्माण सामग्री की कमी, निर्माण के दौरान डिजाइन में आवश्यक परिवर्तन, इत्यादि के कारण दीर्घ अवधि तक निर्माणाधीन रही हैं । इस प्रकार की परियोजनाओं पर कार्य में तेजी लाने के कार्य को प्राथमिकता दी गई है । वे अब निर्माण की प्रौढ़ावस्था में हैं और पांचवीं योजना में उनके पूर्ण हो जाने की संभावना है ।

विद्युत् क्षेत्र में, जैसा कि चौथी योजना के कार्यक्रम में परिकल्पित किया गया था, राणाप्रताप सागर जल विद्युत् तथा जवाहर सागर जल विद्युत् परियोजनाएं और मनपुड़ा ताप केन्द्र की पांचवीं यूनिट पहले ही चालू कर दी गई है ।

Proposal to introduce Jayanti Janata Express train between Bombay and Cochin

4146. SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to introduce Jayanti Janata Express Train between Bombay and Cochin; and

(b) if so, the salient features thereof and if not, whether Government will consider this proposal due to the heavy traffic requirement of this Section?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No.

(b) Introduction of a direct train between Bombay VT and Cochin is not operationally feasible at present for want of line capacity on saturated sections enroute and requisite terminal facilities at Bombay VT.

Development of varkala Railway Station (Kerala)

4147. SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the growing improtance of Varkala in Kerala as lakhs of people are coming every year to visit the nearby Sivagiri;

(b) if so, whether the Varkala Railway Station has not been developed to meet the increasing requirements of traffic and a number of important trains do not stop at this station resulting in great hardship to the passengers; and

(c) if so, the steps taken or proposed to be taken by Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) (a) Yes.

(b) and (c). The Station has been developed to some extent to meet the requirements of traffic and works for further developments as indicated below are in progress:-

(i) Extension of platforms;

(ii) Provision of improved agreements for drinking water supply.

Remodelling of a portion of the Station building to provide for improved booking and waiting facilities will also be taken up shortly.

All trains except 137/138 Madras-Trivendrum Express stop at Varkala Railway Station.

Composition of Railway Protection force without deputationists

4148. SHRI R. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways are incurring heavy expenditure on the maintenance of Railway Protection Force and other allied agencies and if so, what is the expenditure, Railway-wise;

(b) whethre all staff of Railway Protection Forec are on deputation from State Governments;

(c) what is the total number of all such staff; and

(d) whether Railway propose to have their own cadre of protection force without deputationists?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The approximate expenditure by the Railway on Railway Protection Force and contribution to the maintenance of Government Railway Police during 1972-73 was as under:

Railway	Railway Protection Force Rs.	Government Railway Police Rs.
Central	1,95,11,000	41,01,000
Eastern	2,97,47,000	44,45,000
Northern	2,25,02,000	48,83,000
N. Eastern	1,22,52,000	57,54,000
Northeast-Frontier	1,05,67,500	16,21,000
Southern	1,46,12,000	42,93,000
South Central	88,73,000	25,12,000
South Eastern	2,30,37,100	17,48,200
Western	2,15,85,399	30,96,733

(b) Only a very small number of staff are on deputation from the State Governments. The majority consist of departmentally recruited Railway Protection Force personnel.

(c) Total number of staff on deputation in the Railway Protection Force as on 1-12-1973 is as under:-

Gazetted Officers	55
Non-Gazetted staff	58

(d) For Non-gazetted Staff of the Railway Protection Force, Railways already have their own cadre. However, for Gazetted Officers, steps are being taken to build up the cadre now by introducing direct recruitment at Class-II level.

Recruitment to Delhi Judicial Service Cadre in 1972

4149. SHRI NATHU RAM AHIRWAR: Will the Minister of JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a competitive examination was held in September/October, 1972 for the recruitment to Delhi Judicial Service Cadre;

(b) the names of the candidates declared qualified in the order of merit and recommended to the Delhi Administration for appointment;

(c) whether any candidates obtaining high position in the order of merit have been kept out on flimsy grounds viz. participation in peaceful student demonstration and if so, whether the matter was properly investigated and the reasons conveyed to the candidates concerned; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS: (SHRI H. R. GOKHALE): (a) Yes sir.

(b) to (d). A list of names of candidates declared qualified in the order of merit is attached. 25 candidates were to be appointed from this list to Delhi Judicial Service. Two candidates who had obtained higher positions were not considered suitable for appointment because they had given false information in the attestation form; inspite of the warning given therein that furnishing of false information or suppersion of any factual information was likely to render candidate unfit for employment. The reasons for rejection are not conveyed to the candidates concerned.

List of order of merit of the candidates selected as a result of Delhi Judicial Service Competitive Examination held in September/October, 1972.

No. in oreder of merit	Name of candidate
1	1 Shri Hari Parkash Sharma
2	Shri Bhag wan Das Goel
3	Shri Ram Narain Jindle
4	Shri Kuldip Singh
5	Shri Babulal Garg
6	Miss Aruna Jain
7	Shri Mohindra Kumar Gupta
8	Shri Jag lish Prasad.
9	Shri Ashok Kumar Srivastava
10	Miss Urmila Rani
11	Shri yash Paul Luckria
12	Shri Darshan Singh
13	Shri Vidya Bhushan Gupta
14	Shri Padam Chand Aggarwal
15	Shri Kailash Chander Lohia
16	Shri Satnam Singh
17	Miss Mamta Rani
18	Shri Shahsi Mohan Gupta.
19	Shri Dinesh Dayal
20	Shri Om Parkash Gogne
21	Shri Manjit Singh Sabharwal
22	Shri Raj Kumar Sharma.
23	Shri Jai Krishna (Scheduled Caste)
24	Shri Mukhtiar Singh (-do-)
25	Shri Thakur Das Keshav(Scheduled Caste)
26	Shri Balbir Singh (Scheduled Caste)
27	Shri Brahma Nand (Scheduled Caste)
28	Shri Jaswant Singh (Scheduled Caste)
29	Shri Bhola Datt. (Scheduled Caste)
30	Shri Rattan Lal Scheduled Caste)

Rationalisation of capacities of foreign Drug Firms

4150. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 337 on 13th November, 1973 and state:

(a) what exactly is implied by rationalization of capacity in the case referred to;

(b) whether as a result of rationalisation, the formulations capacity of Messrs Glaxos has been increased;

(c) whether Government have taken into consideration its adverse effect on foreign exchange resources directly as well as indirectly i. e. enabling the foreign firm to build up its assets in India; and

(d) would it not mean regularising the unauthorised production of the firm and depriving Indian sector manufactures, who possess technical know-how etc. for the last two decades?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a). Rationalisation implies consolidation of capacities for each category of formulations with respect to production undertaken under the non-objection letters and the earlier liberalised policy including diversification and exemption with regard to formulation based on the bulk drugs produced by the concerned company.

(b). No, Sir. The capacity was fixed on the basis of the production already achieved in 1969, 1970 or 1971.

(c) Does not arise as no additional investment in plant and machinery was involved.

(d). No Sir.

Cancellation of trains between Hazrat Nizamuddin and Delhi Safdarjang and between Jind and Jakhal.

4151. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) whether a large number of trains viz. 1DJP, 2DJP, 343 Up, 344 Dn, 1DR, 2RDG, 1DSS, 2DSS and 1DKR/2DKR (between Hazrat Nizamuddin and Delhi Safdarjang) IDJ/2DJ (between Jind and Jakhal) on Delhi-Ferozepore section have been subjected to a frequent and prolonged cancellation during the year 1973;

(b) how many of them are still under suspension and what steps have been or are being taken to avoid such eventualities; and

(c) what is the total loss suffered by Railway in terms of passenger traffic on this account?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI: (a) and (b). These trains were cancelled from time to time during the year 1973 due to factors like loco staff agitation, movement of foodgrains, reduced availability of coal etc. All these trains except IDKR/2DKR have, however, since been restored.

(c) Inormation is being collected and will be laid on the table of the Sabha.

दिल्ली के लिए तीसरा बड़ा रेलवे स्टेशन बनाया जाना

4152. श्री शिव कुमार शास्त्री : क्या [रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में वर्तमान रेलवे स्टेशनों पर अत्याधिक भीड़ को कम करने के लिए एक तीसरा बड़ा स्टेशन बनाने का विचार है ;

(ख) यदि हां, तो उसके लिए अनुमानित परिव्यय कितना है ;

(ग) उस स्टेशन का नाम क्या होगा जिसका विकास इस प्रयोजन के लिए किया जायेगा; और

(घ) उस स्टेशन से कितनी यात्री गाड़ियां पहुंचा करेंगी और चला करेंगी ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) जी हां ।

(ख) से (घ) निजामुद्दीन में नया टर्मिनल स्टेशन स्थापित करने से सम्बन्धित पहले विनिश्चय को अब बदल दिया गया है । नये स्थान और अन्य ब्यौरे के सम्बन्ध में अभी निर्णय लिया जाना है ।

नरकटियागंज लाइन (पूर्वोत्तर रेलवे) पर गाड़ियों का रद्द किया जाना

4153. **श्री चन्दूलाल चन्द्राकर :**

श्री भागीरथ भंवर :

क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नरकटियागंज लाइन (पूर्वोत्तर रेलवे) पर कुछ यात्री गाड़ियों को रद्द किया गया है, क्योंकि उस लाइन पर कोयला ले जाने वाली मालगाड़ियों को प्राथमिकता दी जा रही है ;

(ख) यदि हां, तो इसके परिणामस्वरूप रेलवे को कितनी हानि हुई; और

(ग) उक्त गाड़ियों को रद्द किये जाने से जिन यात्रियों को असुविधा का सामना करना पड़ रहा है, उनके लिए क्या वैकल्पिक प्रबन्ध किये गये हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) इंजन का कोयला कम उपलब्ध होने के कारण नरकटियागंज-दरभंगा सवारी गाड़ियों की एक जोड़ी नरकटियागंज-मुजफफरपुर जोड़ी और सवारी गाड़ियों की एक जोड़ी नरकटियागंज-मुजफफरपुर-सोनपुर खण्ड पर चलने वाली एक जोड़ी एक्सप्रेस गाड़ियों का चलना अस्थायी रूप से रद्द कर दिया गया है ।

(ख) इन गाड़ियों का चलना रद्द कर दिये जाने के कारण 4 दिसम्बर, 1973 तक राजस्व की कुल हानि लगभग 1.6 लाख रुपये होने का अनुमान लगाया गया है ।

(ग) यात्रियों की सुविधा के लिए इन खण्डों पर चलने वाली अन्य सवारी गाड़ियों में लगाये जाने वाले सवारी डिब्बों की संख्या में समुचित वृद्धि कर दी गई है ।

Terms and conditions of Service of Official loaned to Food Corporation of India at Kandla Port

4155. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether the services of 52 Railway Officials had been loaned to the Food Corporation of India at Kandla Port of Western Railway;

(b) if so, the terms and conditions on which their services are given on loan;

(c) whether the benefits of life-risk are also garnted to these employees as are admissible to the Port workers; and

(d) if so, the salient features thereof and if not, the reasons for discrimination?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) to (d). They continue to enjoy all facilities and privileges as would be admissible normally to them as railway servants. The terms and conditions do not, therefore, include benefits of life risk.

Glass Expoxy plant at Chinchwad, Poona

4156. SHRI PRABHUDAS PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether two young Chemical Engineer have designed and commissioned a Glass expoxy plant at Chinchwad in Poona;

(b) if so, whethre it is the first such plant in the country;

(c) whether there was no plant in India producing them and the material was so far imported; and

(d) if so, whether Union Government have agreed to help them to develop it fully?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The two chemical engineers are reported to have fabricated the plant of M/s Formica India Limited for the manufacture of glass expoxy laminates.

(b) M/s Bakelite Hylam Limited and M/s Formica India Limited are both enganged in developing glass epoxy laminates indigenously.

(c) The afore-said two firms are licensed for manufacture of decorative and industrial laminates. Glass epoxy laminates are being imported.

(d) No request for any assistance from the two chemical engineers has been received.

Air and Water pollution in Mathura

4157. SHRI SARJOO PANDEY:

SHRI JAGANNATH MISHRA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Scientists have drawn the attention of the Government to air pollution and water pollution in Mathura where an oil refinery is proposed to be set up;

(b) if so, he reasons therefore; and

(c) whether a suggestion has been made to shift the refinery hundred miles away from the present site?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). The possibility of effluents from the Mathura Refinery affecting the surroundings and puarticularly the Taj Mahal and other monuments at Agra and Mathura has been under very close axamination by the Ministry of Petroleum and Chemicals and the Indian Oil Corporation in Consultation with the National Committee on Environmental Planing and Coordination, the Indian standards Institution, the Central Public Health Engineering Research Institute etc. The Minister of Petroleum and Chemicals had taken a meeting in September, 1973, attended by representatives from the above organisations and other experts in this field to assess the extent of pollution and the steps that should be taken to eliminate these hazards. The consensus was that adequate steps should be taken to eliminate polution by liquid or gaseous effluents from the refinery. The Indian Oil Corporation is, therefore, including in the design of the refinery special facilities so that hazards on account of pollution are eliminated.

2. The Department of Meteorology is collecting extensive data to determine the weather conditions at Mathura to enable the IOC to design the facilities needed for treating the gaseous affluents. Normally, these effluents are not expected to possese rious hazards if they are let out at a high level in the atmosphere and the weather conditions are such that the gases are freely dispersed in the atmosphere. In any case built-in facilities for removal of sulphur Dioxide would be added to the Refinery Design as a measure of abundant precaution.

3. The liquid effluents would be treated using most uptodate and modern methods such as those being successfully employed in the Cochin Refinery, and the final water let out would meet the standards prescribed by the Indian Standards Institution for irrigation water and also for streams that are to be let into rivers. Therefore, the treated effluent water will not pose any hazard when used either for irrigation or for human use after normal treatment in Municipal treatment facilities.

4. The present site is most suitable from other considerations, and the other sites examined by the Site Selection Committee do not offer the necessary facilities. The Indian Oil Corporation are, therefore, going ahead with the implementation of the Refinery Project at the present refinery site and would also undertake desulphurisation of stack gases and if economically atractive, burning fo low sulphur furnace oil. They are also being asked to establish in the Mathura Refinery, a permanent unit to monitor and control the effluents in consultation with the National Comittee on Environmental Planning and Coordination. The Chief Archaeological Chemist is also being fully associated with the anti-pollution measures being undertaken by the IOC.

proposal for setting up plants by Business Houses

4158. SHRI R. R. SINGH DEO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Monopolies and Restrictive Trade Practices Commission has cleared proposals of certain business houses for putting up new plants; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS, (SHRI BEDABRATA BARUA): (a) and (b). The M.R.T.P. Commission does not clear such proposals. It reports to the Central Government on such proposals which are referred to it by the Government for further inquiry. Of the 9 applications under Section 22 of the MRTP Act for the establishment of new undertakings referred to the Commission for further inquiry, reports have been received on six proposals, the details of which are contained in the statement laid on the Table of he House. [*Placed in Library. See.* No. LT-5964/73]

Two applications under Section 22 of the MRTP Act have been withdrawn by the parties and one proposal is pending with the M.R.T.P. Commission.

अक्तूबर 1973 में खान आलमपुर याई में विस्फोटक पदार्थ से भरे एक मालडिब्बे में आग लग जाना

4159. **श्री हुकम चन्द कछवाय** : क्या **रेल मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या अक्तूबर, 1973 में खान आलमपुर यार्ड में खड़े एक माल डिब्बे को जिसमें विस्फोटक पदार्थ थे, आग लग गई थी ;

(ख) यदि हां, तो उसके कारण क्या थे; और

(ग) रेलवे को इस से कितनी हानि हुई ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी) : (क) जी हां, 7-10-1973 को ।

(ख) आग लगने के कारणों की जांच की जा रही है ।

(ग) रेलों को लगभग एक लाख रुपयों की क्षति उठानी पड़ी है ।

Scandal in Drug manufacture in Madhya Pradesh

4160. SHRI PRABODH CHANDRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is Scandal in Drug Manufacture in Madhya Pradesh; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir.

(b) Does not arise.

मथुरा स्थित तेल शोधन कारखाने की गैस का ताज-महल पर प्रभाव

4161. **श्री हुकम चन्द कछवाय** : क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मथुरा में स्थापित तेल शोधक कारखाने से निकलने वाली गैस का आगरा के "ताजमहल" पर प्रतिकूल प्रभाव पड़ेगा और

(ख) सरकार का इस बारे में क्या कार्यवाही करने का विचार है ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : (क) और (ख). मथुरा शोधनशाला के अपशिष्ट पदार्थों से आगरा तथा मथुरा के चारों ओर विशेषकर ताजमहल तथा अन्य स्मारकों पर बुरा प्रभाव पड़ने की संभावना पर पर्यावरण आयोजना तथा समन्वय समिति, भारतीय मानक संस्थान, केन्द्रीय जन स्वास्थ्य इंजीनियरिंग अनुसंधान संस्थान इत्यादि के परामर्श से इस मंत्रालय तथा भारतीय तेल निगम द्वारा बहुत गहराई से जांच की जा रही है । दूषण की सीमा का निर्धारण करने तथा इन खतरों को दूर करने के लिए अपनाये जाने वाले उपायों के बारे में पैट्रोलियम और रसायन मंत्री ने सितम्बर, 1973 में एक बैठक बुलाई थी जिस में उपरोक्त संस्थाओं के प्रतिनिधि और इस क्षेत्र के अन्य विशेषज्ञों ने भाग लिया था । उन में से अधिकांश का यह मत था कि शोधनशाला के द्रव्य अथवा गैसीय अपशिष्ट पदार्थों द्वारा दूषण को दूर करने के लिए उपर्युक्त कदम उठाने चाहिए अतः भारतीय तेल निगम शोधनशाला के डिजाइन में विशेष सुविधाएं शामिल कर रहा है ताकि दूषण के कारण होने वाले खतरों को रोका जा सके ।

2. मथुरा में मौसम सम्बन्धी परिस्थितियों का निर्धारण करने के लिए मौसम विज्ञान विभाग ब्यौरे एकत्रित कर रहा है ताकि भारतीय तेल निगम गैसीय अपशिष्ट पदार्थों की अभिक्रिया के लिए अपेक्षित सुविधाओं का डिजाइन कर सकें । सामान्यतौर पर, इन अपशिष्ट पदार्थों से गंभीर खतर उत्पन्न होने की आशा नहीं है । यदि उन्हें वायुमण्डल में ऊंचाई पर छोड़ा जाए और मौसम सम्बन्धी परिस्थितियां ऐसी हों कि गैस वायुमण्डल में मुक्त रूप से छोड़ा जा सके कुछ भी हो, सल्फर डायआक्साइड हटाने के लिए, बहुत सावधानी रखने के उपाय के रूप में स्थापित सुविधाओं को शोधनशाला डिजाइन में जोड़ा जायेगा ।

3. भारतीय तेल निगम से मथुरा शोधनशाला में पर्यावरण आयोजना तथा समन्वय समिति के परामर्श से अवशिष्ट पदार्थों के नियन्त्रण के लिए एक स्थाई यूनिट स्थापित करने को कहा गया है। भारतीय तेल निगम द्वारा अपनाये जाने वाले दूषण प्रतिकारक उपायों से मुख्य पुरातात्विक कैमिस्ट को पूर्ण रूप से सम्बद्ध किया जा रहा है।

दिल्ली से अहमदाबाद के बीच चलने वाली रेलगाड़ी में बिना टिकट यात्रा

4162. **श्री मूलचन्द डागा :** क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) अक्तूबर, 1973 के अन्तिम पखवाड़े में दिल्ली से अहमदाबाद को सुबह साढ़े नौ बजे जाने वाली रेलगाड़ी कितनी बार जयपुर लेट पहुंची और रेलगाड़ी के लेट पहुंचने के क्या कारण थे ;

(ख) क्या दिल्ली और अलवर के बीच विभिन्न स्टेशनों से अपने-अपने कालेजों और स्कूलों को जाने वाले बहुत से छात्र दिन के समय बिना टिकट यात्रा करते हैं; और

(ग) क्या ऐसे छात्रों के विरुद्ध कोई कार्यवाही नहीं की गई है; और यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) 16-10-1973 से 31-10-1973 की अवधि में 3 अप दिल्ली-अहमदाबाद एक्सप्रेस जयपुर स्टेशन पर छः दिन विलम्ब से पहुंची जिसका मुख्य कारण है खतरे की जंजीर खींचे जाने की अत्यधिक घटनायें और उनके फलस्वरूप गाड़ियों की क्रासिंग अस्तव्यस्त होने से नष्ट होने वाला समय।

(ख) दिल्ली और अलवर के बीच इस गाड़ी से बड़ी संख्या में छात्र यात्रा करते हैं लेकिन बिना टिकट नहीं।

(ग) बिना टिकट यात्रा न करने और इस बुराई से बचने के लिए छात्रों को शिक्षित करने के उद्देश्य से निम्नलिखित कारवाई की गई है :—

(i) छात्रों द्वारा की गई बिना टिकट यात्रा के मामले आवश्यक कार्रवाई के लिए सम्बन्धित शिक्षा संस्थाओं के प्रधान अधिकारियों के नोटिस में लाये जा रहे हैं।

(ii) सेवा-रत और सेवा-निवृत्त दोनों तरह के रेलवे अधिकारी समय-समय पर शिक्षण संस्थाओं में जाते हैं और वहां बिना टिकट यात्रा की बुराई के बारे में छात्रों में भाषण देते हैं।

(iii) टिकट जांच अभियानों में छात्रों का नियमित रूप से सहयोग लिया जाता है।

Setting up of reservation to check Floods in River Subarnarekha

4163. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of IRRIGATION AND POWER be pleased to state whether in view of continuous floods in river Subarnarekha and Budahalanga, Government propose to set up a reservoir at Kuliana for Budahalanga?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): The State Government of Orissa are investigating the possibility of constructing a dam on the Budabalanga river at Kuliana.

दिल्ली से चलने वाली रेलगाड़ी का जयपुर में देर से पहुंचना

4164. श्री मूलचन्द डागा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली से अहमदाबाद के लिए 9.3 बजे प्रातः चलने वाली रेलगाड़ी 1 नवम्बर, 1973 को दिल्ली से कितने बजे चली और जयपुर कितने बजे पहुंची ;

(ख) जयपुर में इस रेलगाड़ी के देर से पहुंचने के क्या कारण है ;

(ग) क्या छात्रों की गतिविधियों के परिणामस्वरूप यह गाड़ी लेट हो गई थी ;

(घ) क्या दिल्ली और अलवर के बीच के किसी स्टेशन पर गार्ड, पुलिस अथवा स्टेशन प्राधिकारियों ने इस गाड़ी के छात्रों की गतिविधियों को रोकने का प्रयास नहीं किया था; और

(ङ) यदि हां, तो क्या रेलवे को इसके परिणामस्वरूप हजारों रुपयों का नुकसान उठाना पड़ा था ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) 3 अप दिल्ली-अहमदाबाद एक्सप्रेस दिल्ली से 10.53 बजे छूटी और 1-11-73 को 20.44 बजे जयपुर पहुंची ।

(ख) और (ग). रेल को विलम्ब से लगाये जाने के कारण दिल्ली से 1 घण्टा 28 मिनट विलम्ब से चलने के बाद इस गाड़ी में खतरे की जंजीर बार-बार खींचे जाने के कारण दिल्ली-बांदीकुई खण्ड पर और देर होती गई । रेवाड़ी और भरवास स्टेशनों के बीच एक स्थानीय कालेज के विद्यार्थियों ने भी खतरे की जंजीर खींची ।

(घ) इस गाड़ी के टिकट जांच कर्मचारियों ने रेलवे सुरक्षा दल एवं सरकारी रेलवे पुलिस की सहायता से अपराधियों को पकड़ने की कोशिश की, लेकिन वे भाग खड़े हुए । इस खण्ड पर जांच-कार्य में तेजी लायी गयी है ।

(ङ) निस्सन्देह इन गतिविधियों के फलस्वरूप सवारी गाड़ियों में देरी और उसके कारण हानि भी हुई । लेकिन इस प्रकार की हानि की मात्रा को ठीक-ठीक धन के रूप में नहीं आंका जा सकता ।

Free supply Associated Gas to I. F. F. C. by O. N. G. C.

4165. SHRI PRABHUDAS PATEL: SHRI PRABODH CHANDRA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Oil and Natural Gas Comission had agreed to supply 750000 cubic metres per day of natural gas to the India Farmers Fertilizers Corporation of Kalol in Gujarat;

(b) if so, from what date;

(c) when the plant is likely to start production; and

(d) the amount of profit O.& N.G.C. will earn on account of gas supply?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) and (c). The gas supply was scheduled to begin in mid-1973 and was to be for a period of 12 years. However, as per the latest indications, the various sections of the I.F.F.C.O.

project are expected to start functioning only from the dates indicated below:-

(1) Ammonia Plant:

(i) Commissioning from 1-4-1974.

(ii) Regular Production from June/July, 1974.

(2) Urea Plant:
Commissioning in July, 1974.

I. F. F. C. O. have recently indicated to the O&NGC that they will start taking gas progressively from 31.12.1973.

(d) As per the project report prepared by the ONGC, the net return on the capital invested is likely to be less than 2 per cent per annum.

Supply of Chips by the Organic Chemicals and share Synthetics to Monopoly concerns

4166. SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether it is a fact that the Indian Organic Chemicals and Shree Synthetics, which were licensed to manufacture polyester fibre, are selling chips to other monopoly concerns like J.K. Modi's and others and are not themselves manufacturing the final product of polyester fibre for which they have been given licence;

(b) whether Government is providing these concerns with DMT and other raw materials from imports and indigenous production;

(c) whether it is also a fact that the Chemical and Fibre (India) Ltd. which is a foreign held Company, has indulged in this malpractice; and

(d) if so, the quantity of polyester chips which is sold by these companies, the estimated profits made thereon and the drain on foreign exchange caused as a result of these malpractices?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (d). A complaint was received in August 1973, that certain polyester fibre manufacturers were selling polyester chips to other uses instead of producing polyester fibre for which they were licenced. On checking up the position, it was found that M/s Indian Organic Chemicals had sold 14.1 tonnes of chips of a value of Rs. 2,81,100 to the following parties:—

Date	Party	Quantity (Tonnes)	Value (Rs.)
June 1973	M/s Shree Synthetics	2·0	34,000
June 1973	M/s Nirlon Synthetics	7·0	1,40,000
June 1973	M/s Lamina Industries	0·1	2,100
August 1973	M/s. J. K. Synthetics	5·0	1,05,000
		14·1	2,81,100

Also, M/s Chemicals & Fibre of India Ltd. had loaned 2 tonnes to M/s Shree Synthetics for trial purposes in connection with their polyester filament yarn project. M/s Indian Organic Chemicals have been advised not to sell chips.

Both M/s Indian Organic Chemicals and Chemicals and Fibres of India Ltd. were allocated DMT from imports as well as from that produced by Indian Petrochemicals Corporation Ltd. Both have been manuacturing polyester fibre, M/s Shree Synthetics

have not been allocated any DMT so far and have not yet manufactured polyester fibre.

Only M/s CAFI is a foreign company and in view of the position stated above, the question of drain on foreign exchange does not arise.

रीवां में उर्वरक कारखाने की स्थापना

4167. **श्री घनश्याह प्रधान :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि रीवां डिवीजन में उर्वरक कारखाना स्थापित करने की, जिसके लिए आरम्भ में वाण सागर परियोजना द्वारा बिजली तथा अन्य सुविधाएं उपलब्ध की जायेंगी, कोई योजना विचाराधीन है ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : जी नहीं।

Book entitled 'Corruption in Courts in India'

4168. SHRI BHOGENDRA JHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 9565 on the 8th May, 1973 regarding the book entitled 'Corruption in Courts in India' and state:

(a) whether the allegations contained in the book have since been examined; and

(b) if so, the action taken thereon?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) and (b). The examination has yet to be completed.

Strike by the labour of M/s Dalal and Company working in the Parcel Office, Ajmer

4169. SHRI PRAVINSINH SOLANKI:

SHRI ONKAR LAL BERWA:

Will be the Minister of RAILWAYS be pleased to state:

(a) whether the labour of the Labour Contractor, M/s. Dalal and Company, working in the Parcel Office, Ajmer, went on strike for two days i.e. 21st and 22nd October, 1973, which resulted in the stoppage of booking of parcels;

(b) if so, the reasons therefor;

(c) the total revenue lost by the Railways due to the strike of the labour;

(d) the comparative earnings of Parcel Office, Ajmer, from 20th September to 25th September, 1973; and

(e) the action taken by Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Yes. The labour of the Labour Contractor M/s. Dalal and Co., working in the Parcel Office, Ajmer went on strike for two days i.e. on 21st and 22nd September, 1973 (Not 21st and 22nd October, 1973) for demand of adequate wages.

(c) Approximately Rs. 1000/-.

(d) The earnings from 20th September, 1972 to 25th September, 1972 as compared to the period from 20th September, 1973 to 25th September, 1973 were Rs. 18,585/- and Rs. 25,967/- including a Military consignment of Rs. 8,848/-.

(e) Action was taken against the contractor according to terms and conditions of the contract i.e. to debit the cost of labour engaged by the railway for these days.

Weightage of service for Seniority purposes for Absorption in Alternative Appointment in Class III Posts

4170. SHRI PRAVINSINH SOLANKI: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 2190 on the 6th March, 1973 regarding the weightage of service for seniority purposes for absorption in alternative appointment in Closs III posts and state:

(a) the salient features of Letter No. E(NG)II-69 RE1/56, dated the 26th November, 1970 issued by the Railway Board;

(b) the reasons for which this Letter was issued; and

(c) the categories of the Railway employees to whom it is applicable?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) to (c). In July, 1969 it was decided that surplus First Firemen 'A' in Grade Rs. 125—155 and Firemen Grade 'B' Rs. 100—130, who are Matriculates or hold equivalent qualification, may be screened for absorption in Class III Categories of Trains clerks, Commercial clerks and Ticket collectors. These orders were later extended to non-surplus running staff in the same grade and in higher grades such as Diesel Assistants, Shunters and Drivers Grade 'C'. The orders of 26-11-1970 clarify how the pay and seniority of such staff should be fixed in the alternative post. These orders stipulate that for the purpose of seniority in the new post, no weightage on account of previous service should be granted.

Payment of Heavy amount of Profit to consultancy Firms by Tata, Sahu Jain and Goenka Group of Industries

4171. KUMARI KAMLA KUMARI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the fact that the big concerns of Tata, Birla, Sahu Jain and Goenka group of industries have paid heavy amount of their profit to their consultancy firms for the services which are nothing in practice and these concerns tried to bring their industries to loss points blaming Government that the industries are not getting power supply and as a result they are running in loss;

(b) if so. the steps taken by Government in this regard; and

(c) if not, whether Government propose to conduct an enquiry in the industries which are controlled by these Houses?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDARBATA BARUA): (a) and (b). Some large industrial houses employ the services of consultancy firms. Appointments in that behalf and remuneration for such services are matters of internal administration of the companies concerned. The responsibility for the loss or profit made by a company and for explaining the performance of the company belongs to the Board of Directors of the company who make a report to its shareholders every year. Whenever it comes to the notice of the Government that under cover of such appointments, the Board of Directors of a company indulge in a misuse of the funds of the company, the matter is taken up with the company concerned for necessary corrective action.

(c) it is not possible under the Companies Act to order a general inquiry into the working of industries on the ground suggested or any other ground.

Inspection of Account Books of Companies

4172. DR. LAXMINARAIN PANDEYA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 3517 on the 17th August, 1973 regarding export of raw material and half finished goods by M/s. Kores India Ltd., and state:

(a) whether Government carry out any inspection of the books of accounts of companies;

(b) whether Government can carry out from the companies themselves or customs, Railways, Octroi or other Government agencies the extent of export of a particular firm; and

(c) if so, what steps Government have taken to obtain information about M/s. Kores India Ltd.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) This Department does inspect books of accounts and other documents of companies under section 209(4) of the Companies Act, 1956.

(b) The details of exports of any particular company can be ascertained by the insepction of its books of accounts and other documents.

(c) The inspection of the books of accounts and other documents of Kores India Ltd., has already been ordered as part of the inspection of the companies belonging to the larger industrial houses. The information sought for by the Hon. Member in his Unstarred Question No. 3517 dated the 17th August, 1973 will be obtained and placed before the House.

Laying on the Table of the House A List of Branches of Foreign Companies.

4173. SHRI VIKRAM MAHAJAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to lay on the Table of the House a list of branches of foreign companies as on 1st November, 1973 exporting more than 50 per cent of their production?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): Information is being collected and it will be laid on the Table of the House.

Reported statement of acting Chief of Arab League Mission in India regarding supply of Crude Oil

4174. SHRI H. M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether attention of Goverenment has been invited to a statement made by the Acting Chief of Arab League Mission in India on 7th November, 1973 that Arab countries will protect the interest of India and other friendly countries in the matter of oil supplies;

(b) whether Government have received any formal intimation in this regard from Arab oil producing countries; and

(c) if so, facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) and (c). Iraq and Saudi Arabia are the two Arab countries which supply crude oil to India. Out of these, only Saudi Arabia had imposed cut in oil supplies. This cut has since been restored and an official intimation to this effect has been received

from the Saudi Arabian Government. The Government of Saudi Arabia have, however, evolved a formula under which the quota of supplies of crude oil to the various 'friendly' countries is determined in view of an overall cut back in production. India, like other friendly countries, is allotted crude according to this formula.

पेट्रोल के आयात पर अतिरिक्त खर्च

4175. **श्री मूलचन्द डागा** : क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि : इस वर्ष देश में तेल के आयात पर सरकार को कितना अतिरिक्त व्यय करना पड़ेगा और उस के लिये कितनी विदेशी मुद्रा की आवश्यकता होगी ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : वर्ष 1973 के दौरान कच्चे तेल की मूल्य वृद्धि के कारण विदेशी मुद्रा के रूप में अतिरिक्त व्यय 44 करोड़ रुपये का होने का अनुमान है ।

न्यायालयों में ग्रीष्मकालीन अवकाश

4176. **श्री विभूति मिश्र** : क्या **विधि, न्याय और कम्पनी** कार्य मंत्री यह बतानेकी कृपा करेंगे कि :

(क) क्या यह सच्च है कि उच्च न्यायालयों और उच्चत्तम न्यायालय में लगभग दो महीने के लिए ग्रीष्मकालीन अवकाश होता है; और

(ख) यदि हां तो क्या सरकार का विचार इ न न्यायालयों में इस प्रथा को समाप्त करने का है ?

विधि, न्याय और कम्पनी-कार्य मंत्री (श्री एच० आर० गोखले):(क) 1961 से, यह प्रत्येक उच्च न्यायालय पर छोड़ दिया गया है कि वह छुट्टी की अवधि इस तरह नियत करे कि जिससे कार्य-दिवसों की संख्या एक वर्ष में 210 दिन से अन्यून सुनिश्चित की जा सके । उच्चत्तम न्यायालय के संबंध में, उच्चत्तम न्यायालय नियम, 1966 द्वारा यह उपबन्ध किया गया है कि ग्रीष्मकालीन अवकाश की अवधि दस सप्ताह से अधिक नहीं होगी और वास्तविक अवधि का नियतन भारत के मुख्य न्यायाधिपति करेंगे ।

(ख) जी नहीं ।

बिहार के चम्पारन जिले के गांवों में मिट्टी के तेल का उपलब्ध न होना

4177. **श्री विभूति मिश्र** : क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पेट्रोलियम उत्पादों के मूल्यों में वृद्धि होने से के बाद बिहार से चम्पारन जिले के गांवों में मिट्टी का तेल दो रुपया प्रतिलिटर भी नहीं मिलता है ;

(ख) यदि हां, तो क्या सरकार ने गांवों में रहने वाले लोगों को मिट्टी का तेल आसानी से उपलब्ध होने और उचित दर पर मिल जाने के बारे में कोई व्यवस्था की है ; और

(ग) यदि हां, तो तत्संबंधी मुख्य बातें क्या हैं ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) : (क) इस सम्बन्ध में बिहार सरकार से कोई रिपोर्ट नहीं मिली है । आवश्यक वस्तु अधिनियम के अधीन राज्य सरकारों को कानूनी रूप से कीमत तय करने का और अधिक कीमत लेने के विरुद्ध कार्रवाई करने का अधिकार दिया गया है ।

(ख) और (ग) आम जनता को मिट्टी का तेल उपलब्ध कराने के लिए पेट्रोल पम्पों द्वारा व्यवस्था की जा रही है । यह प्रणाली पहले ही दिल्ली और उत्तर प्रदेश में लागू कर दी गई थी । अन्य राज्यों में भी बहुत ही जल्दी इस योजना का विस्तार करने के लिए योजनाओं को कार्यान्वित किया जा रहा है । यह प्रणाली मिट्टी के तेल की वर्तमान वितरण व्यवस्था के अतिरिक्त होगी । उन में से बहुत से पेट्रोल पम्प ग्रामीण क्षेत्र में मौजूद हैं।

मीटर गाज लाइनों को ब्राड गाज लाइनों में बदलने के लिए समयबाधित कार्यक्रम

4178. **श्री विभूति मिश्र** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने मीटर गाज लाइनों को ब्राड गाज में बदलने के लिये कोई समय-बाधित कार्यक्रम तैयार किया है ; और

(ख) यदि हां तो उस पर क्या व्यय होगा और उसकी मुख्य बातें क्या हैं।

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) और (ख) 121 करोड़ रूपये की अनुमानित लागत पर निम्नलिखित मीटर लाइन खण्डों में आमान परिवर्तन की स्वीकृति दी गई है । इन खण्डों की लम्बाई लगभग 1662.15 मि० है । निर्माण कार्य किया जा रहा है :—

1. बाराबंकी —समस्तीपुर ।

2. गन्तकल्लु से धर्मवरम तक समानान्तर बड़ी लाइन और धर्म वरम से बैंगलूरु सिटी तक आमान परिवर्तन ।

3. तिरुवनन्तपुरम —कोल्लम — एरणाकुलम ।

4. बोरमगांव—खोडा और कनालुस —पोर बन्दर (जामनगर—बेंदी और कनालुस —सीका सहित)

निम्नलिखित खण्डों में भी आमान परिवर्तन के लिए सर्वेक्षण किया गया है :—

(1) न्यू बोंगाईगांव-मोहाटी ,

(2) बरौनी—कटिहार ।

(3) मिरज—लौंडा-होसपेट लौंडा — मरमो गाओ और अलनावेर —डन्डेली ।

(4) करूर —डिन्डीगल—तूतुकुडि

(5) वाराणसी—भटनी

(6) समस्तीपुर—रक्सौल बरास्ता दरभंगा या मुज्जफर पुर—रक्सौल ।

(7) गुन्टूर—मांचेरेला

(8) दिल्ली —साबरमती

इन खण्डों का वास्तविक आमान परिवर्तन सर्वेक्षण रिपोर्टों और आर्थिक अध्ययन रिपोर्टों की जांच के परिणामों, उन की पार-स्परिक प्राथमिकता और धन की उपलब्धता पर निर्भर करेगा ।

Plans for Remodelling the Burdwan and Raniganj Stations

4179. SHRI KRISHNA CHANDRA HALDER: Will the Minister of RAILWAYS be pleased to state the salient feature of the plans of the Railways for remodelling the Stations of Burdwan and Raniganj (Eastern Railway) which require immediate increase of the capacity in every respect?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): There is no plan to remodel Burdwan and Raniganj Railway Stations on Eastern Railway at present.

Programmes to increase Sectional capacity and Terminal facilities to raise level of Platforms and to extend the Suburban Area of Burdwan-Asansol Section on Eastern Railway

4180. SHRI KRISHNA CHANDRA HALDER: Will the Minister of RAILWAYS be pleased to state the salient feature of the programme which the Railways have (i) to increase the sectional capacity and to increase the terminal facilities (ii) to raise the rail-level platforms of the 5 Stations viz. Talit, Khana (UP only), Galsi, Paraj, Rajbandh to high-level platforms (as approved by 56th Asansol DRVCC) and (iii) to extend suburban area in Burdwan-Asansol Section on the Eastern Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): The information is being collected and will be placed on the table of the House.

Functioning of Harsana Kalan Halt Station

4182. SHRI K. LAKKAPPA:

SHRI RAMAVATAR SHASTRI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Harsana Kalan Railway Halt has started functioning with effect from the 28th November, 1970 on the Northern Railway;

(b) whether only one train in the morning and one in the evening stops at this Halt since then inspite of the fact that the villagers have been representing that more trains should stop at this Halt;

(c) the reason for not making more trains stop at that Halt; and

(d) the reasons for not issuing seasonal tickets from that Halt?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Harsana Kalan Halt Station was opened for passenger traffic with effect from 30-11-1970.

(b) Yes.

(c) Stoppage of additional trains at Harsana Kalan is considered neither justified on traffic considerations nor feasible operationally due to the capacity difficulties on Subzimandi-Panipat single line section.

(d) The issue of monthly season tickets requires certain important extra clerical work which is not desirable to be entrusted to a contractor and hence as per practice on the Northern Railway the halt contractors are not usually permitted to issue such monthly tickets.

Replacement of Officials of Fertilizer Corporation of India

4183. SHRI K. LAKKAPPA:

SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether any replacement of the top managerial posts in the Fertiliser Corporation of India has been made?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): Yes, Sir. The posts of Chairman and Managing Director have been combined into one and the previous Director (Projects) has been appointed as Chairman and Managing Director. A separate Director (Marketing) is now in position and a change has also been made in the incumbency of the post of Director (Finance).

Reconsideration of proposals for setting up Fertilizer Plants in Private Sector

4184. DR. RANEN SEN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there are any proposals for reconsideration of setting up of Fertilizer Plants in the private sector; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir.

(b) Does not arise.

Infringement of Rules Re. Booking on Consignments from Ghaziabad Booking Agency

4185. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) whether maximum weight of any single package that can be looked to and from Ghaziabad City Booking Agency should be 100 kilograms;

(b) if so, whether this Agency is regularly booking parcels weighing more than 100 kilograms each; and

(c) if so, the action taken against the contractor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) Yes.

(c) Normally Out Agents and City Booking Agents of the Northern Railway Administration are allowed to book individual packages weighing upto 187 kilograms. But, in the case of Ghaziabad City Booking Agency, this limit was restricted to 100 kilograms at the request of the Agent himself due to difficulty in carrying heavy packages from and to the Parcel Office to which the passage is through an overbridge. However, as in actual practice the Agent is accepting packages weighing upto 130 kilograms each, the limit of 100 kilograms is being raised to 130 kilograms, upto which he will have to accept all packages offered for booking.

Luggage Porters working on Casual Labour Rates at New Delhi Station

4186. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) whether some persons are working at New Delhi Station as luggage porters on casual labour rates against temporary sanction of the labour given from time to time by the Divisional Superintendent, Northern Railway, New Delhi;

(b) if so, for how many years each luggage porter has been working on these rates; and

(c) whether it is proposed to absorb them as "substitutes"?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) None has continuous service of six months' duration. Total service in broken spells ranges from 54 days to 906 days.

(c) Yes, according to their turn based on their total service as a casual labourer.

Selection and Posting of Teachers in Place of Ad Hoc Arrangements (Western Railway)

4187. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) how many Headmasters, Senior Teachers, Junior Teachers and Physical Training Teachers of Secondary

and Higher Secondary Schools of Western Railway have been working on an *ad hoc* basis without being selected as such since more than one year continuously;

(b) the reasons why these teachers have not been replaced by the duly selected hands so far;

(c) how much time will be taken in completing the process of replacement by selected hands; and

(d) what action has been taken against the officials responsible for delay in holding selections and posting selected hands to posts where *ad hoc* arrangements had to be made?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) (i) Headmaster 1.

(ii) Senior Teacher 1.

(iii) Junior Teacher 14.

(iv) Physical Training Instructor 3.

(b) The reasons are given below itemwise:

(i) *Headmaster*: The general question of filling up the posts of Principals/Headmasters in Railway Colleges/Schools on regular basis is under consideration.

(ii) *Senior Teacher*: Selection for post of Senior Teacher was held on 5-11-73 and it will be finalised after a representation received from one of the employees is disposed of.

(iii) *Junior Teachers*: Out of an indent for 11 candidates, a panel of 6 candidates was recommended by the Railway Service Commission. These candidates were allotted to Divisions in October, 1973. A further indent of 5 candidates has been placed with the Railway Service Commission who have advertised the same.

Orders for filling up the remaining 3 vacancies by duly selected candidates were issued, but the concerned Teachers have represented against their transfer. Their cases are under examination.

(iv) *Physical Training Instructor*: There is no serving Teacher with the requisite qualification for the post. A requisition has been placed with the Railway Service Commission, who have advertised the post.

(c) and (d). *Ad hoc* arrangements will be terminated as soon as regularly selected persons become available. The circumstances in which *ad hoc* arrangements had to be made have been explained in answer to part (b) above.

Facilities provided to Directors of F.C.I.

4188. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Fertilizer Corporation of India has provided facilities to refrigerators, air conditioners, fans and furniture to Member of its Board of Directors at their residences also;

(b) whether the maintenance of such household accessories and equipments is being done at the cost of the Corporation;

(c) what other facilities and privileges Members of the Board of Directors or Fertilizers Corporation of India are enjoying which members of the Board of Directors of other public sector undertakings are not enjoying in normal course of their functions; and

(d) the number of members of Board of Directors of F.C.I. and their monthly average salary in 1972-73?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (d). The Information is being collected and will be laid on the Table of the House.

Panel of Doctors for the treatment of F.C.I. Staff in Delhi

4189. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Fertilizer Corporation of India has approved a panel of Doctors for medical treatment of its staff members in the Union Territory of Delhi;

(b) whether staff members are entitled to re-imbursement of medical expenses on submission of vouchers; and

(c) the number of doctors approved for treatment, date of approval, normal terms and conditions of treatment and total number of re-imbursement made on each individual doctor's vouchers to the staff members during 1972-73?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) Yes, Sir; but such reimbursements are restricted to emergent and surgical cases only.

(c) Information is being collected and will be laid on the Table of the House.

Re-imbursement of Medical charges to Employees of F.C.I. and their coverage under C.G.H.S. in Delhi

4190. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total number of staff of Fertilizers Corporation of India in all its Offices in Union Territory of Delhi and the amount of medical expenses re-imbursed to them during 1970-71, 1971-72 and 1972-73 separately;

(b) whether some staff is covered under C.G.H.S. Scheme of the Govt. of India; and

(c) if not, the reasons for not covering Fertilizers Corporation's staff under the Central Government Health Scheme?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). The information is being collected and will be laid on the Table of the House.

Scheme regarding transfer of surplus Water from Lower Godavari Area to Krishna Basin through link Canals

4191. SHRI ANNASAHEB GOTKHINDE: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government are considering a scheme to make up the inadequate supplies of water available in the Krishna Basin by the transfer of surplus supplies from the lower Godavari area by some link canals; and

(b) if so, the salient features of the scheme, including the quantity, in thousand million cubic feet, of water proposed to be transferred and the estimated cost, in each case?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) No projects for any such link canals have been received from the State Governments.

(b) Does not arise.

Dieselisation of Trains on South Central Railway

4192. SHRI ANNASAHEB GOTKHINDE: Will the Minister of RAILWAYS be pleased to state the number of trains, with their routes, proposed to be run with diesel engines in place of steam engines on the South Central Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAY (SHRI MOHD. SHAFI QURESHI): There is no proposal, at present to dieselise any passenger carrying train on the South Central Railway.

Scheme to develop Miraj Junction Railway Station (S. C. Railway)

4193. SHRI ANNASAHEB GOTKHINDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a scheme to develop Miraj Junction Railway Station on the South Central Railway;

(b) if so, the salient features thereof; and

(c) the time by which it is proposed to implement the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) (i) Construction of a retiring room.

(ii) Provision of additional accommodation for Bookign Office.

(iii) Improvement to refreshment room and provision of platform stall on platforms 4|5 and and 6|7.

(iv) Provision of urinals in Gents waiting room.

(v) Provision of Reservation-cum-Enquiry Office.

(c) The above works are expected to be completed by end of 1975.

Retrenchment of Erectors, Serangs and Khalsis working under IOW (C) Bombay Division (Western Railway

4194. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Erectors, Serangs and Khalasis working under the Inspector of Works (C), Marine Lines, Bombay Division, Western Railway, who were retrenched from the Railways during the last three months;

(b) whether these workers, known as Koya Gang, were recruited in the South and brought to Bombay with promises of absorption in permanent jobs and work accommodation in Bombay;

(c) whether these workers had made representation to the Railway authorities pleading re-employment or absorption; and

(d) whether they were promised employment in the workshops as well as transfer to Construction Branch in Ahmedabad, and if so, whether these promises have been implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (d). 27 Casual labourers working under the Inspector of Works, Marine Lines have been retrenched on completion of the work. No promise of absorption in permanent jobs had been given to them. They were given accommodation in temporary huts near the work site. These Casual labourers have representeed for absorption, Efforts are being made to absrb them under Chief Engineer (Construction), Ahmedabad and also against vacancies in the Railway Workshop at Parel.

Agitation by Railway Workers in Kerala for supply of Foodgrains.

4195. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether there was an agitation by the Railway workers in Kerala State from the 27th to 31st August, 1973 demanding the supply of foodgrains at reduced rates; and

(b) whether an assurance was given at that time by the Divisional Superintendent, Olavakkot in the presence of the District Collector of Palghat that there will be no victimisation of the employees involved in the strike?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) There was an agitation demanding grant of interest free loan and a moratorium in recoveries from pay for six months.

(b) No such assurance was given.

Special train from Malda to Sealdah run on 18th August, 1973

4196. SHRI SOMNATH CHATTERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether any special train was run from Malda station to Sealdah station on the 18th August, 1973;

(b) who arranged to reserve the said special train and when was the booking made; and

(c) whether all the charges for running the said special train have been realised by the Railways?

THE DEPUTY MINITER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. However, a special train was run from Malda Town to Harish Chandrapur on the night of 18/19-8-1973 to clear the extra rush of passengers at railway convenience

(b) and (c). Does no arise.

रीवां डिवीजन में दो रेल लाइनें बिछाना

4197. **श्री धन शाह प्रधान :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1956 में रीवां डिवीजन तथा उसके समीपवर्ती स्थानों में निम्नलिखित दो रेल लाइनें बिछाने के बारे में सर्वेक्षण किया गया था :-

(i) गोबिन्दगढ़ को ब्योहारी से मिलाते हुए सतना से रीवां ;

(ii) सतना से रीवां होते हुए मिर्जापुर तक ;

(ख) गत लगभग 17–18 वर्षों से इस सर्वेक्षण का उपयोग न करने और रेल लाइन न बिछाने के क्या कारण हैं ;

(ग) उक्त पिछड़े क्षेत्र में उद्योग, यातायात तथा जनता की सुविधा को दृष्टि में रखते हुए क्या निकट भविष्य में ये दोनों रेल लाइनें बिछाने का विचार है ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) रीवां के रास्ते सतना से गोविन्दगढ़ तक रेल लाइन के निर्माण के लिए 1956–57 में एक यातायात सर्वेक्षण किया गया था। उस समय रीवां से मिर्जापुर तक रेल लाइन के लिए कोई सर्वेक्षण नहीं किया गया था।

(ख) 1956-57 में किये गये सर्वेक्षण से मालूम हुआ था कि सतना-रीवां-गोबिन्दगढ़ लाइन अत्यन्त अलाभप्रद होगी। अतः इसके निर्माण का काम हाथ में नहीं लिया गया।

(ग) और (घ) : रीवां और गोविन्दगढ़ के रास्ते सतना से ब्याहारी तक रेल लाइन के निर्माण के लिए नये सिरे से यातायात सर्वेक्षण करने की मंजूरी 5 जुलाई, 1972 को दी गई थी। यह सर्वेक्षण हाल ही में पूरा हुआ है और रिपोर्ट पर विचार किया जा रहा है। हाल ही में किये गये सर्वेक्षण के अनुसार भी प्रस्तावित लाइन अर्थक्षम नहीं होगी। लेकिन, वर्ष 1973-74 का बजट पेश करते समय 20 फरवरी, 1973 को संसद में रेल मंत्री के भाषण के पैरा 41 में उल्लिखित मार्गदर्शक सिद्धान्तों के अनुसार देश के पिछड़े क्षेत्रों के विकास के लिए आवश्यक रेल लाइनों के निर्माण के संबंध में एक नये दृष्टिकोण से विचार किया जा रहा है। पांचवी योजना में इसके लिए धन का विशेष आंबटन करने के लिए योजना आयोग को लिखा गया है। धन के विशेष आंबटन के लिए रेल मंत्रालय के अनुरोध का योजना आयोग से उत्तर प्राप्त हो जाने के पश्चात रीवां और गोविन्दगढ़ के रास्ते सतना-ब्याहारी लाइन के निर्माण के सम्बन्ध में आगे विचार किया जायेगा। रीवां से मिर्जापुर तक रेलवे लाइन बनाने का कोई प्रस्ताव फिलहाल विचाराधीन नहीं है।

[illegible] द्वारा की जाने वाली यात्रा के लिए किराया वसूल करने का प्रस्ताव

4198. **श्री [illegible] शाह प्रधान** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1972-73 के दौरान रेल कर्मचारियों को कुल कितने मूल्य के निःशुल्क पास तथा पी० टी० ओ० जारी किये गये ; और

(ख) वर्तमान आर्थिक संकट को ध्यान में रखते हुए क्या सरकार का विचार रेल कर्मचारियों को निःशुल्क पासों और पी० टी० ओ० जारी करना बन्द करने का है ; और यदि नहीं, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उपमंत्री (श्री [illegible] शफी कुरेशी) : (क) रेलों से सूचना मंगायी जा रहा है और सभा पटल पर रख दी जायेगी।

(ख) इस तथ्य को ध्यान में रख कर कि विश्व भर के परिवहन संगठन अपने कर्मचारियों को कुछ यात्रा सुविधाएं देते हैं तथा इस बात को भी देखते हुए कि इससे राजस्व की कोई हानि नहीं होती, भारतीय रेल कर्मचारियों से इस सुविधा को बिल्कुल ही छीन लेने का कोई इरादा नहीं है।

Assistance sought by Andhra Pradesh for Tungabhdra project high level Canal Scheme

4199. SHRI K. KODANDA RAMI REDDY: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Goverment of Andhra Pradesh has requested for additional assistance of Rs. 160 lakhs during 1973-74 for the Tungabhadra Project High Level Canal Scheme Stage II; and

(b) if so, the reaction of the Central Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) Due to constraints of resources, it has not been possible to provide the additional Central assistance asked for.

Expenditure incurred on Krishna-Godavari Drainage Schemes in Andhra Pradesh

4200. SHRI K. KODANDA RAMI REDDY: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the total amount spent so far, year-wise, on the Krishna-Godavari drainage schemes in Andhra Pradesh;

(b) the time and the amount needed for the completion of remaining work; and

(c) the progress of work done so far?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) to (c). The scheme for Flood Control and Drainage in the Krishna and Godavari deltas is being executed by the Government of Andhra Pradesh outside the State Plan. The works taken up for implementation are as follows:

(1) Improvement of Uppateru drain for a discharge capacity of 437 cumecs (15,000 cusecs).

(2) Flood detention reservoir across Thammileru.

(3) Improvement of drains in the Krishna and Godavari deltas.

(4) Extension of Romperu cut near Vetapalem.

(5) Widening of Biccavolu drain.

(6) Raising and strengthening of Dudameru flood banks from km 0 to km 51.

(7) Excavation of Romperu straight cut near Epurupalem.

The physical progress made till the end of September, 1973, reported by the State Government, is as follows:

1. Raising and strengthening of the Budameru flood banks has been completed.

2. The work on the Biccavelu drain has been completed.

3 Out of 818 drains taken up for improvement, work on 539 drains has been completed.

4. Earth work for the dam and the regulator for the Thammilleru Reservoir is in progress. The total earth work done is 14.14 lakh cubic metres out of estimated quantity of 34.73 lakh cubic meters

5. The work on the Uppateru straight cut from km 47 to the sea is in progress and 14.83 lakh cubic metres of earth work has been done so far. Removal of shoals in the Uppateru from km 10 to km 51 is in progress and nearly 90 per cent of the work has been done.

6. On the Romperu straight cut at Vetapalem, 7.09 lakh cubic metres of earthwork has been done out of the estimated 8.55 lakh cubic metres. On the straight cut at Epurupalem, 10.12 lakh cubic metres of earthwork has been done out of 11.17 lakh subic metres.

The year-wise expenditure on the scheme is as follows:—

	(Rs. in lakhs)
1969-70 .	295.4
1970-71	578.37
1971-72	366.41
1972-73 .	195.07
1973-74 . (Programmed outlay)	486.00
Total anticipated upto 31-3-1974.	1921.25

The State Government have estimated the revised cost of the works, except for the Improvement to the Uppateru Drain as Rs. 33.28 crores. The estimate of Rs 4.26 crores for the Uppateru Drain is under revision. The time schedule of completion of the scheme will depend upon the ultimate cost of the works, and the

funds that will be available from year to year.

Conversion of Tirupathi-Katpadi line into Broad Gauge

4201. SHRI K. KODANDA RAMI REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether a proposal from Government of Andhra Pradesh for the conversion of Tirupathi-Katpadi line into Broad Gauge is pending with his Ministry;

(b) if so, since when; and

(c) the reaction of the Railway Administration to the proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No.

(b) and (c). Do not arise.

Representation from Andhra Pradesh regarding opening of D.B.K. Railway line

4202. SHRI K. KODANDA RAMI REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether any representations have been received by his Ministry from Andhra Pradesh with regard to the opening of D.B.K. Railway line for goods and passenger traffic; and

(b) if so, the reaction of the Centre?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) For optimising the capacity on the Kottavalasa-Kirandul line and for considering an alternative route, two surveys have recently been conducted, the reports of which are at present under examination. A decision regarding opening of this line for passenger traffic and general goods traffic will be taken on completion of this examination.

Speedier Dieselisation of Trains on Madras lines.

4203. SHRI K. KODANDA RAMI REDDY : Will the Minister of RAILWAYS be pleased to state :

(a) whether it has been represented to his Ministry by the Government of Andhra Pradesh and Members of Parliament from Andhra Pradesh for speedier dieselisation of trains on Hyderabad-Howrah and Hyderabad-Madras lines; and

(b) if so, what action has been initiated in this direction?

THE DEPUTY MNISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) Yes.

(b) Dieselisation of long distance over-crowded Mail Express trains are being done on a programmed basis having regard to the availability of diesel locomotives, which are primarily used for clearance of goods traffic. As and when more diesel locomotives become available, dieselisation of 45/46 Hyderabad-Howrah and 53/54 Hyderabad-Madras Expresses will be considered, along-with other similar demands.

गत तीन वर्षों के दौरान पेट्रोलियम के उत्पादों के मूल्यों में वृद्धि

4204. **श्री शंकर दयाल सिंह** : क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) विगत तीन वर्षों के अन्दर पेट्रोल, मिट्टी के तेल, डीजल तथा गैस के मूल्यों में कितनी वृद्धि हुई, और

(ख) इसके क्या कारण हैं ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां) :

(क) अपेक्षित सूचना नीचे दी गई है:—

बम्बई से बाहर तेल कम्पनियों के संग्रह स्थल से बाहर का मल्य

उत्पाद	एकक	1-6-70 को मूल्य	9-11-73 को मूल्य	वृद्धि
		रुपये	रुपये	रुपये
मोटर स्पिरिट	कि. लि.	971.43	2457.00	1485.57
मिट्टी का तेल	वही	470.20	716.69	246.49
हाई स्पीड डीजल आयल	वही	680.66	697.34	16.68

घरेलू कार्यों के लिये एल० पी० गैस की कीमत पहली बार 1-8-1972 से नियत की गई थी और उस के बाद उसके मूल्य में 154.58 रुपये प्रति मीट्रिक टन की वृद्धि करने की अनुमति दी गई है ।

(ख) मूल्यों में वृद्धि करने की अनुमति इसलिए दी गई है कि उत्पाद शुल्कों में वद्धि होने के कारण कच्चे तेल के मूल्यों में वृद्धि होने के परिकरण शोलाओं की क्षति पूर्ति की जा सके ।

समस्तीपुर में जयन्ती जनता गाड़ी का उद्घाटन समारोह

4205. श्री शंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) समस्तीपुर से दिल्ली के बीच नई "जयन्ती जनता" गाड़ी का उद्घाटन समारोह दिल्ली के बजाय समस्तीपुर में रखने के क्या कारण है ;

(ख) गाड़ी के उद्घाटन समारोह पर रेलवे का कुल कितना खर्च हुआ; और

(ग) "जयन्ती जनता" गाड़ी के अन्दर मधुबनी पेंटिंग पर कुल कितना खर्च हुआ और किन-किन कलाकारों ने उसे बनाया है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) :(क) सप्ताह में दो बार चलने वाली जयन्ती जनता गाड़ी को बुद्धवार, 31 अक्तूबर, 1973 से चलाना शुरू किया गया था । बुद्धवार का नामांकित दिन इस गाड़ी के समस्तीपुर से चलने के लिए है न कि दिल्ली से । इसलिए इसका उद्घाटन समस्तीपुर में किया गया ।

(ख) समस्तीपुर में उद्घाटन समारोह पर 1368.45 रुपये खर्च हुए थे ।

(ग) सवारी डिब्बे के अन्दर वैसी कोई खास मधुबनी चित्रकारी नहीं है लेकिन डिब्बे के अन्दर कुछ परतदार पट्टियां हैं जिन पर सामान्य चित्रों के बदले मधुबनी चित्रों की कुछ प्रतिकृतियां हैं ।

इन प्रतिकृतियों के विकास के लिए मधुबनी चित्रकारी पर 184.98 रुपये खर्च हुए थे । ये चित्र मधुबनी क्षेत्र के कुछ लोक कलाकारों द्वारा बनाये गये थे जिनका नाम मालूम नहीं है ।

समस्तीपुर डिवीजन (उत्तर रेलवे) में रेल कर्मचारियों की हड़ताल

4206. **श्री शंकर दयाल सिंह** : क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) समस्तीपुर डिवीजन में विगत छः महीनों के अन्दर रेल कर्मचारियों की कितनी हड़तालें हुई ; और

(ख) तत्सम्बन्धी मुख्य बातें क्या हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) तीन बार ।

(ख) लोको रनिंग स्टाफ एसोसिएशन ने 22-5-73 से 26-5-73 तक हड़ताल कर दी थी। उसकी मांग थी कि कर्मचारियों के विरुद्ध स्थानान्तरण आदि जैसे कथित उत्पीड़न के मामले वापस ले लिए जायें ।

काम के घंटों में कमी आदि जैसी कुछ मांगों को पेश करने के लिए आल इण्डिया लोको रनिंग स्टाफ एसोसिएशन ने 1-8-73 से 12-8-73 तक हड़ताल कर दी थी। यह उस आन्दोलन का एक अंश था जिसे इस एसोसिएशन ने सभी रेलों पर छेड़ दिया था ।

20-9-73 से 25-9-73 तक कुछ स्टेशन मास्टरों तथा सहायक स्टेशन मास्टरों ने, वाराणसी मण्डल में प्रारम्भ किये गये उस आन्दोलन की सहानुभूति में हड़ताल कर दी जो वाराणसी मण्डल के कुछ स्टेशन मास्टरों तथा मण्डलीय कार्मिक कार्यालय के एक बिल क्लर्क के बीच गाली-गलौज के बाद और सहायक स्टेशन मास्टरों के मामले देखने वाले एक बिल क्लर्क के स्थानान्तरण की मांग तथा मण्डल की कार्मिक शाखा के विकेन्द्रीकरण की मांग को स्वीकार न किये जाने के परिणाम स्वरूप शुरू किया गया था ।

'OIL DRILLING AT BODRA IN WEST BENGAL AND EXPENDITURE INCURRED THEREON.'

4207. SHRI JYOTIRMOY BOSU : Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the total expenditure incurred in connection wih the drilling at Bodra, West Bengal, for finding petrol?

THE MINISER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN) : A total expenditure of approximately Rs. 292.54 lakhs has been incurred till 31-3-1973 on exploratory drilling at Bodra (Canning), West Bengal.

भारतीय रेलवे के विभिन्न जोनों में समय पर चलने वाली गाड़ियों की प्रतिशतता

4208. **श्री चन्द्रिका प्रसाद** : क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(ख) भारतीय रेलवे के विभिन्न जोनों में समय पर चलने वाली गाड़ियों की प्रतिशतता क्या है ; और

(ख) सभी गाड़ियां समय पर क्यों नहीं चलती ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) सितम्बर और अक्तूबर, 1973 में क्षेत्रीय रेलों में समय न

खोने वाली सभी सवारी गाड़ियों के समय पालन का प्रतिशत इस प्रकार रहा है :—

रेलें	समय का प्रतिशत			
	सितम्बर, 1973		अक्तूबर, 1973	
	बड़ी लाइन	मीटर लाइन	बड़ी लाइन	मीटर लाइन
मध्य	90.0	87.5	88.3	85.5
पूर्व	60.3		60.9	
उत्तर	76.1	79.1	75.2	84.8
पूर्वोत्तर	82.7	68.1	67.7	56.5
पूर्वोत्तर सीमा	80.2	81.3	80.2	82.0
दक्षिण	92.4	94.3	89.7	95.3
दक्षिण मध्य	85.0	94.0	85.0	94.0
दक्षिण पूर्व	79.4	—	77.0	—
पश्चिम	86.7	88.6	85.9	93.3

(ख) हाल में गाड़ियों के ठीक समय से चलने में जिन प्रमुख कारणों से बुरा प्रभाव पड़ा है वे हैं—जनता और कर्मचारियों द्वारा किये जाने वाले आन्दोलन, बिजली में कटौती, लाइनों का टूट-फूट जाना, दूर संचार तारों की चोरी के फलस्वरूप सिगनल और दूर संचार में खराबी, खतरे की जंजीरें खींचने की घटनाओं में वृद्धि आदि।

गाड़ियों के समय पालन पर क्षेत्रीय रेलों द्वारा सभी स्तरों पर और मेल/एक्सप्रेस गाड़ियों पर रेलवे बोर्ड के स्तर पर कड़ी निगरानी रखी जाती है। परिहार्य अवरोधों के सम्बन्ध में कार्रवाई की जाती है और गाड़ियों के संचलन में सुधार लाने के लिए उपचारी कार्रवाई की जाती है।

Demonstration by All India Station Masters' Association before General Manager Eastern and South Eastern Railways.

4210. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state :

(a) whether there was a demonstration before General Managers, Eastern Railway and South Eastern Railway by the All-India Station Masters' Association, Eastern Railway and South Eastern Railways on 28th September, 1973, but the joint Memorandum was not accepted by the Eastern Railway Authorities and it was later sent under Registered post;

(b) if so, the action taken for such attitude of Eastern Railway Authority; and

(c) the broad outlines of the grievances listed in the Memorandum and the action taken thereon by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS : (SHRI MOHD. QURESHI) : (a) There was on such demonstration before the General Manager, Eastern Railway on 28-9-1973.

(b) and (c). Do not arise.

Steps to make Expeditious Payment of Retirement Benefits

4211. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state :

(a) whether the payment of retirement benefits is taking unnecessarily long time now a days;

(b) what is the difficulty in paying 90 per cent of the amount within a month of the retirement as was the practice hitherto; and

(c) the steps being taken to expedite payment of retirement benefits to employees?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) In the vast majority of cases, payment of retirement benefits is arranged within a period of three months or less from the date of retirement. Only in a few abnormal type of cases like staff not vacating quarters, non-production of legal documents by heirs of the deceased employee etc., there is some delay in the payment of settlement dues.

(b) In accordance with the extant rules staff appointed to service before 1-6 -1937 are entitled to withdraw upto 90 per cent of their P.F. dues while on Leave Preparatory to retirement and this Rule is still in force. In the case of others there is provision for immediate payment of one's own contribution to Provident Fund. Delay, if any occurs only in payment of special Contribution to Provident Fund or Death-cum, retirement gratuity for adjustment against pending claims.

(c) Instructions have been issued from time to time stressing on the Railway Administrations the need for expenditious disposal of settlement dues.

Contract labour employed in Railways in different zones

4212. SHRI VASANT SATHE : Will the Minister of RAILWAYS be pleased to state :

(a) the estimated number of contract labour employed on Railways in different zones and the nature of jobs on which contract labour is engaged;

(b) whether Government are aware of the various types of malpractices adopted by the contractors in exploiting the labour engaged on construction and other jobs;

(c) if so, the steps proposed to be taken to abolish or regularise contract labour system with a view to ensuring that the labour engaged by the Railways gets minimum wages and other facilities as are availed of by the employees engaged on jobs of identical nature;

(d) whether Government have any scheme for encouraging contract labour co-operative societies to replace contractors progressively; and

(e) if so, the salient features of the scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (e). The information is being collected from the Zonal Railways and the same will be laid on the table of the Sabha.

Steps proposed to be taken for the safety of life and property of passengers in trains

4213. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of RAILWAYS be pleased to state :

(a) whether in the long-rute trains, the miscreants make attempts on the life and property of the Passengers; and

(b) if so, whether any additional security or 'Passenger Protection Force' is proposed to be introduced to protect the life and property of the passengers travelling by long-route trains, particularly in the sleeper compartments all over the country?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI : (a) Yes.

(b) There is no proposal to set up a 'Passenger Protection Force'. However, Government is alive to the problem and the following steps are being taken for the prevention of crimes against passengers travelling in trains.

(1) To the extent possible Government Railway Police escorts are provided on all important night passenger trains to ensure safety of life and property of the passengers in the affected areas.

(2) R. P. F. staff have been directed to extend active cooperation to Government Railway Police and Civil Police in tracking down criminal responsible for such incidents on the Railways.

(3) Close liaison is maintained with the Government Railway Police and Civil Police to keep strict surveillance over bad characters operating in the sections.

(4) Concerned at the growing incidence of crime affecting passengers like murder, robbery and dacoity in rains/railway premises, in the States of U.P., Bihar and West Bengal, the Minister of Railways addressed letters to the Chief Ministers of these States on 2-11-72 and requested them to provide armed guards on important passenger trains praticularly in badly affected areas. The Minister of Railways also held a high level meeting with the Home Ministers and high officials of some States on 21-3-73 in this connection so that greater security could be provided to the travelling public. As a result of this meeting a working group consisting of senior officers of Central and State Governments has been formed to thoroughly examine the various suggestions made at the meeting and to suggest measures for effectively tackling the problem.

The working group has unanimously agreed that there is an urgent need to augment the strength of Government Railway Police. The State Governments, however, expressed their inability to meet this additional expenditure and desired that the Central Government should bear the cost of expenditure on this augmentation by giving grants-in-aid. Accordingly a memorandum was submitted to the Finance Commission for consideration.

Withdrawal of Application for Mathura Fibre Glass Plant by the Birlas

4214. SHRI MADHU LIMAYE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Birlas' have withdrawn their application for Mathura Fibre glass plant from the Monopolies and Restrictive Trade Practices Commission on the ground that the project is covered by Government policy on expansion and diversification;

(b) whether it has been alleged that non-foreign firms are being discriminated against and foreign companies are being favoured in the matter of reference to MRTP Commission; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). Century Spg. and Wvg. Co. Ltd. have withdrawn their proposal for substantial expansion by manufacturing new article *viz.*, Rods (Glass), Textile Yarn and Rovings/Chop Strand Mat in the new Unit to be established at Mathura, on the plea that according to them on legal understanding it does not require any prior approval from the Central Government under Section 21 of the MRTP Act.

(c) Does not arise.

1973-74 के दौरान रेलवे की आय में कमी

4215. **श्री मधु लिमये :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे में चालू वर्ष की आय में होने वाली हानि को बिना किरायावृद्धि के पूरा करने के लिए कोई योजना बनाई गई है ; और

(ख) यदि हां, तो उनकी रूपरेखा क्या है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) और (ख): ऐसी कोई योजना नहीं बनाई गयी है लेकिन अधिक से अधिक यातायात ढोने तथा आमदनी बढ़ाने के लिए सभी सम्भव प्रयास लगातार किये जा रहे हैं।

Coal Crisis in Thermal Power Stations

4216. SHRI MADHU LIMAYE: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government's attention has been drawn to the coal crisis affecting the thermal power stations in the country;

(b) the number of stations which have closed down already and the stations facing closure;

(c) the fall in the output of electricity as a result of this; and

(d) the measures taken by Government to meet the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) and (c). Two large power stations, namely, Nasik and Paras in Maharashtra which have a total installed capacity of 372 MW, had been partially affected for want of coal, for a short period, to the extent of nearly 50 per cent of the installed capacity. Nine small stations in Gujarat, Rajasthan, U.P. and Delhi with a total capacity of about 80 MW were also affected for want of coal to the extent of 75 per cent of their capacity. Recently no power station has been closed down for want of coal though a few small power stations in U.P. and Delhi (Indraprastha) are facing coal shortage. At a few thermal power stations, due to depleted coal stock position, the entire power demand of the area could not be met to the extent otherwise possible.

(d) Sustained efforts are being made jointly with the Department of Mines and the Railway Board to maintain coal supplies to the power stations:—

(i) A Standing Linkage Committee has been set up in the Department of Mines to review the monthly allocation of coal to power stations.

(ii) A Control Board has been set up in the Railway Board to review the daily supply and stocks of coal at different power stations.

(iii) A joint Cell has been created at Calcutta to review the loading and allotment of wagons for movement of coal to thermal power stations.

(iv) Two power stations, namely, Trombay and Barauni which have been designed to burn both coal and oil, are supplied with oil, thus making available more coal for other power stations for the time being.

Execution of Beas-Sutlej Project

4217. SHRI MADHU LIMAYE: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether cement shortage has hampered the rapid execution of the Beas-Sutlej project:

(b) whether any cement had to be purchased in the black market and

(c) how much power will be produced and how much land irrigated in the year 1974 under the Beas scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir. To some extent.

(b) No Sir.

(c) The Beas-Sutlej Link Project is scheduled to be completed during 1975-76. Irrigation and Power benefits would accrue thereafter.

Issue of Instructions on Functioning of Accounts Officers on Indian Railways

4218. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 6711 on the 10th April, 1973 regarding ARC's comments on functioning of Accounts Officers on Indian Railways and state:

(a) whether the instructions have since been issued;

(b) if so, the salient features thereof: and

(c) if not, the reasons for delay in issuing the instructions and the time likely to be taken to issue the instructions?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) The Government have accepted this recommendation and necessary instructions have since been issued to all concerned that both the Executive Officers and the Finance Officers should appreciate their correct roles in the due discharge of their responsibilities.

(c) Does not arise.

Irrigation in States

4219. SHRI SHANKERRAO SAVANT: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) which of the States are backward in Irrigation at present;

(b) the percentage of irrigation in each of these States; and

(c) the efforts made to step up irrigation in each of these States?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) to (c). The percentage of ultimate irrigation potential from major and medium irrigation schemes, which would have been exploited at the end of the Fourth Plan, would be below the All-India average in the following 7 States. However, during the Fifth Plan, completion of the projects already in hand is expected to reduce significantly the imbalances

in most of the States as indicated below:—

State	Potential likely to be developed from major and medium irrigation projects as percentage of ultimate or potential from major medium schemes in State.	
	Attend of Fourth plan	Tentative projection at end of Fifth Plan
Assam .	3·9	11·1
Bihar	21·7	31.2
Gujarat . .	33·6	50·8
Madhya Pradesh	17·7	29·5
Orissa .	36·8	43·5
Rajasthan .	36·8	49·8
Uttar Pradesh	36·6	49·0
ALL INDIA .	37·7	48·7

Further, it is expected that as a result of new projects to be taken up in the Fifth Plan, it may be possible to achieve progressively further reduction in the imbalance in the subsequent Plans.

Assistance to Maharashtra for Irrigation

4220. SHRI SHANKERRAO SAVANT: Will the Minister of IRRIGATION AND POWER be pleased to state the total financial assistance given to the State of Maharashtra for irrigation during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): Irrigation is a State subject and funds for the execution of irrigation projects are provided by the State Governments in their developmental Plans. The Central assistance to State Plans is given in the form of block loans and grants, not related to any individual sector of development or project. The total plan outlay of Maharashtra in the three years 1970-71 to 1972-73 was Rs. 541.05 crores, of which Central assistance was Rs. 141.24 crores.

Generation of Power from Hydraulic Diesel and Atomic Sources

4221. SHRI SHANKERRAO SAVANT: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the State-wise position regarding the generation of power from (i) hydraulic (ii) diesel and (iii) atomic sources, and

(b) the demand for power by each of these States?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The required information, as latest available, is given in the Statements laid on the Table of the House. [*Placed in Library. See.* No. LT-5965/73].

Proposal to curb Car Travel by Private Companies

4222. SHRI VEKARIA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have any proposal to curb expenditure on car travel by private companies; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The use of cars by companies is not governed by the Companies Act, 1956.

which regulates working of Companies and certain other associations registered thereunder. However, while processing applications relating to the appointment of Managing Directors, Whole-time Directors and Managers in public limited companies and private companies which are subsidiaries of public companies, which require the approval of the Government under the provisions of the Companies Act, it has been observed that most of the companies allow the aforesaid Executives the free use of a car each. In such cases, the companies are informed that the monetary value of the perquisites in regard to free use of car will be evaluated as per Rule 3 of the Income-tax Rules, 1962.

Meeting of Chief Ministers of Punjab and Haryana on sharing of Beas water

4223. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Chief Ministers of Punjab and Haryana had any meeting with the Union Planning Minister on the 9th November, 1973 at New Delhi;

(b) whether sharing of the Beas Water was discussed therein; and

(c) if so, the broad features of the decision arrived at?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) Yes, Sir.

(c) The discussions were inconclusive and another meeting is expected to be held shortly.

Utilisation of Water of Rivers Sutlej, Beas and Ravi under Indus Water Treaty

4224. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the entire discharges of the rivers Sutlej, Beas and Ravi were allocated to India for utilisation w.e.f. 11th April, 1970 under the Indus Water Treaty;

(b) whether on the River Ravi only flow supplies are being utilised and million acre feet of waters are going waste every year; and

(c) whether Government are considering constructing of a dam across the River Ravi to utilise this large volume of water for irrigation and Power facilities and, if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) and (c). At present out of about 6.4 million acre feet of Ravi water, abou 3.4 million acre feet are being utilised and about 3 million acre feet are going waste during the flood season. On completion of the Beas Dam and with the help of the existing Madhopur-Beas Link, another 2 M. A. F. will be utilized leaving a balance of only 1 million acre feet. A proposal for the construction of a dam on the Ravi to harnass this surplus is under consideration. Certain inter-State issues have to be resolved before the project can be taken up.

Representation from Punjab regarding Power Relief from Nangal Fertilizer Factory and DESU

4225. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Punjab Government has been representing regard-

ing power relief from Nangal Fertilizer Factory and DESU; and

(b) if so, Central Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). In November, 1972, the Chief Minister of Punjab had represented to the Prime Minister that power supply to the Nangal Fertiliser Factory should be reduced from 98 MW then being supplied to 60 MW, to give relief in the acute power shortage then prevailing in Punjab. The Government of India decided that power supply to N.F.F. should be reduced from 98 MW to 60 MW from 10-2-73 to 10-4-73. No representation has been received from the Punjab Government about reduction of power supply to DESU.

Release of Power for Small Industries and Agricultural Tube-Well Operations in Punjab

4226. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Punjab Government had offered to the Centre to bear the cost of shifting the country's second fertilizer factory from Naya Nangal to release the committed power for small industries and agricultural tube-well operations;

(b) whether the offer was rejected; and

(c) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). Government are not aware of any such offer; however, enquiries in this regard are being made from the Government of Punjab and the information, when available, will be laid on the Table of the House.

Uncertainty over re-Location of Naya Nangal Fertilizer Factory

4227. SHRI RAGHUNANDAN LAL BHATIA:

SHRI P. M. MEHTA:

Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether there was any uncertainty over the re-location of the Naya-Nangal Fertiliser Factory;

(b) if so, the reasons therefor;

(c) whether his Ministry are of the view that the supply of 124 MW from Bhakra can be supplemented; and

(d) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) There is no uncertainty in regard to the location of the Fertiliser Factory at Nangal. In fact the Scheme for the expansion of the factory at the existing site is under implementation.

(b) Does not arise.

(c) At present there is no proposal to increase the quantum of power supply to the Nangal Fertiliser Factory beyond 124 MW.

(d) Does not arise.

Setting up of Thermal Project at Dalkhola in North Bengal

4228. SHRI B. K. DASCHOWDHURY: Will the Minister of IRRIGATION AND POWER be pleased to refer to the reply given to Starred Question No. 38 on the 24th July, 1973 regarding the setting up of Thermal Project at Dalkhola in North Bengal and state:

(a) whether the proposed Thermal Power Project at Dalkhola in North

Bengal has since been cleared by the Planning Commission; and

(b) if so, the probable date of commissioning of the said Project?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The project for the establishment of a thermal power station at Dalkhola is still under examination.

Power Project in Bihar

4229. SHRI SUKHDEO PRASAD VERMA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Bihar State Electricity Board has recently submitted a scheme to the Central Government for power projects in the State involving a sum of Rs. 800 crores; and

(b) if so, the reactions of the Centre in that regard?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). On behalf of the Electricity Plan Project Committee set up by the Government of Bihar to advise the State Electricity Board and Government on planning and development of power, a Memorandum was submitted to the Union Minister of Irrigation and Power wherein it was stressed that the Fifth Plan outlay on power development in Bihar should, in no case, be less than Rs. 800 crores. The Memorandum was discussed with members of the Committee and the representatives of the Bihar State Electricity Board. It was then recognised that the total resources for power as well as for the entire Plan of Bihar being limited, this fact would have to be kept in mind in choosing the power projects for inclusion in the Fifth Five Year Plan. The Fifth Plan for the State has not been finalised as yet.

Implementation of Upper Sakeri Reservoir, Talai Division and Mohana Reservoir Schemes

4230. SHRI SUKHDEO PRASAD VERMA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the progress made so far in implementing the Upper Sakeri Reservoir, Talai Division and Mohana Reservoir schemes; and

(b) the time by which the schemes are likely to be completed and the estimated amount likely to be spent for each of them?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The Government of Bihar have stated that the investigation work of Upper Sakeri Reservoir scheme is in progress and will be completed by February, 1975. The estimated cost of the scheme is Rs. 12 crores. The scheme has been included in the Fifth Five Year Plan of the State subject to availability of funds.

The investigation work of Tilaiya Diversion scheme has been completed. The project report is under preparation in Bihar and is likely to be submitted to the Central Water and Power Commission by March, 1974. The estimated cost of this scheme is Rs. 12.90 crores. The clearance of the scheme is subject to agreement on the utilisation of waters from the D.V.C. storage for irrigation between the Chief Ministers of Bihar and West Bengal. The scheme has been included in the Fifth Five Year Plan of the State.

The investigation work of Mohana Reservoir Scheme is in progress. The scheme is likely to be submitted by Bihar to the Central Water and Power Commission by June, 1974. The

estimated cost of the scheme is Rs. 12 crores. It has been included in the Fifth Five Year Plan of the State subject to availability of funds.

Construction of a Canal and Barrage on Pun Pun River in Gaya District of Bihar

4231. SHRI SUKHDEO PRASAD VERMA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether a survey has been made for constructing a canal and barrage on Pun Pun river in Gaya District of Bihar; and

(b) if so, the reasons for the delay in executing the scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The Government of Bihar have reported that field survey and investigation work of Pun Pun barrage scheme have been completed. The project report has not, however, been received in the Central Water and Power Commission for technical scrutiny.

The question of executing the scheme will arise after it has been technically scrutinised and accepted by the Technical Advisory Committee of the Planning Commission and subject to availability of funds.

Setting up of big thermal Power plants at Coal Pit Heads

4232. SHRI PRABODH CHANDRA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government have any plans to set up big thermal power plants at the coal pit heads; and

(b) if so, by what time the first such plant is proposed to be started?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). A Committee for selection of sites for large thermal power stations at coal pit heads in different regions has been set up by the Ministry of Irrigation and Power. The report of the Committee is awaited.

Generation of Electricity in Punjab

4233. SHRI PRABODH CHANDRA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government have received any proposal from the Punjab Government for further generation of electricity in the State; and

(b) if so, the main features thereof and the action taken by Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR RRASAD): (a) and (b). The following schemes for power generation have been received from Punjab for implementation in the Fifth and early Sixth Five Year Plans:—

(1) Shanan Hydel Extension.

(2) Anandpur Sahib Hydel Scheme.

(3) Bhatinda Thermal Station Ext. St. I.

(4) Thein Dam Project with U.B.D.C. Extension.

(5) Mukerian Hydel Scheme.

(6) Bhatinda Thermal Extension Stage II.

(7) Rupar Thermal Power Station.

(8) Shahpur Kandi Barrage Multipurpose Project.

The salient features and action taken on the above-mentioned schemes by the Centre are indicated in the statement laid on the Table of the House. [*Placed in Library See.* No. LT-5966/73].

Rural Electrification Projects in Border Areas

4235. SHRI M. S. PURTY: Will the Minister of IRRIGATION AND POWER be pleased to state the number of Rural Electrification Projects sanctioned in the border areas?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): The Rural Electrification Corporation has sanctioned 63 rural electrification schemes for border Districts of different States (in Assam 9, in Bihar 1, each in Gujarat and Rajasthan, 6 in Jammu and Kashmir, 2 in Meghalaya, 7 in Punjab, 12 in Uttar Pradesh and 19 in West Bengal). These schemes involve a total loan assistance of Rs. 33.56 crores.

Trains cancelled in Saurashtra Region during 1973

4236. SHRI ARVIND M. PATEL:
SHRI D. P. JADEJA:

Will the Minister of RAILWAYS be pleased to state:

(a) the number of trains cancelled in Saurashtra Region in Gujarat State during 1973;

(b) the names of their routes; and

(c) the reasons for cancellation of trains?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

Plans Prepare by Planning Commission for producing synthetic oil from Coal Resources

4237. SHRI C. K. CHANDRAPPAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Planning Commission had once studied and prepared a paper regarding the possibility of producing synthetic oil from coal resources;

(b) whether Government intends to take up this proposal for implementation; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). On the basis of the exploratory studies done so far by the National Committee on Science and Technology and the Planning Commission, it has recently been decided to set up a group to make a feasibility study for establishing a plant for the manufacture of oil from coal. Further decisions regarding implementation will be taken on the basis of the report of this group.

(c) Does not arise.

Poor quality of food served in Delhi-Howrah Rajdhani Express

4238. SHRI C. K. CHANDRAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the fact that the standard and quality of the food served in Delhi-Howrah Rajdhani train is deteriorating and has now become substandard food;

(b) whether Government are also aware of the fact that the food in this train is served in some dirty and stained aluminium or tin trays which is quite unhygienic and repulsive; and

(c) what steps Government will take to improve the quality of food in this train and to serve it in a more hygienic way?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. Good quality food is served to passengers in Delhi-Howrah Rajdhani train. Against only one complaint about bad quality of food received during the period April, 1973 to September, 1973 as many as 3,436 appreciations were recorded by passengers about the catering service on this train.

(b) No. Food is served to passengers in clean and anodised box type aluminium trays.

(c) Does not arise in view of answers to parts (a) and (b) above.

Granting of voting right at the age of 18 years

4239. SHRI C. K. CHANDRAPPAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have since taken a final decision on granting voting right at the age of eighteen;

(b) if not, the reasons for this inordinate delay in taking decision on this matter; and

(c) if voting right is given at eighteen, how many new voters are likely to be added to the list of voters according to the latest census figures?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) The proposal is still under consideration. Further certain practical difficulties which may arise on account of the enlargement of the electorate, such as the extra numbers involved, the electoral arrangements these would necessitate, etc., have also to be examined. In the circumstances, some more time is likely to be taken to arrive at a decision.

(c) A little over three crores and forty-two lakhs of new voters are likely to be added to the list of voters.

Construction of Tunnel for Loktak Multi-purpose Project in Manipur

4240. SHRI N. TOMBI SINGH: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) the progress made in the construction of the tunnel for Loktak Multi-purpose Project in Manipur;

(b) whether the Project is being completed according to schedule;

(c) if not, the difficulties coming in the way and when the first phase will be commissioned; and

(d) whether difficulties are being faced in respect of procurement of equipments and if so, the nature and extent of such difficulties?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Out of a total length of about 6248 metres, a length of over 700 metres of the tunnel has been completed. The driving of three shafts and the adit tuunel have also been completed.

(b) to (d). The first unit of 35 MW was originally scheduled to be commissioned by March, 1975. However, due to the delay in the delivery of the main generating unit which is being imported, the first unit is now expected to be commissioned by March, 1976. No difficulty is being experienced in the procurement of other power house equipment, or in other matters in completion of the first phase.

Permanent Bench of Gauhati High Court at Imphal

4241. SHRI N. TOMBI SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the people of Manipur vide for people of Manipur to file petithe absence of a permanent Bench of the Gauhati High Court of Imphal;

(b) whether Government are aware that by surface route, the journey from Imphal to Gauhati, takes two days and people cannot easily get the benefit of the High Court in the absence of the permanent Bench at Imphal;

(c) if so, whether Government propose to maintain a permanent Bench of the High Court, pending the establishment of full-fledged High Court in Imphal; and

(d) if so, when the permament Bench will start functioning and if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) Government have not received any representation in this regard.

(b) The existing arrangements provide for people of Manipur to file petitions/cases in Imphal itself though there is no bar to filing them at Gauhati. Government have not received a report of any difficulties encountered.

(c) and (d). Do not arise.

Railway Line between Silchar and Jiribam

4242. SHRI N. TOMBI SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) the progress made in respect of the proposed construction of Railway line between Silchar and Jiribam;

(b) whether the Project is receiving priority; and

(c) if so, the time by which the new line will be commissioned?

THE DEPUTY MINISTER IN THE MINISTRY OR RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). Preliminary Engineering-cum-Traffic survey for the extension of a M.G. line from Silchar to Jiribam is in progress. Further consideration to the proposal will be given after the survey is completed and its results are known.

Programme to Raise the Standard of Cleanliness on the Railway Stations

4243. SHRI RANABAHADUR SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether any programme to raise cleanliness standard of Railway stations to make them look beautiful has been launched over the entire Railways network; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, a programme to raise the standard of cleanliness has been launched on each Zonal Railway at some selected stations.

(b) The programme envisages more attention towards sanitation repairs to buildings and fixtures, improved maintenance of amenities for passengers, giving a face lift and more intensified supervision at such stations.

Delay in Oil drilling by O.& N.G.C. in Collaboration with American Experts

4244. SHRI RANABAHADUR SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the oil and Natural Gas Commission has secured the services of American experts from the offshore Company but the delay in execution of the off-shore oil drilling programme is costing the country; and

(b) if so, the daily loss India is incurring due to the delay and reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). ONGC has contracted the services of the US firm, Offshore International SA for conducting drilling operations using "Sagar Samrat". The contract is for a period of one year. The commencement of offshore drilling, using "Sagar Samrat", was delayed due to two reasons, namely six months' delay in the delivery of the "Sagar Samrat" and bad weather conditions in the Bombay-High area, shortly after the arrival of "Sagar Samrat". However, Government have not suffered any avoidable loss, since liquidated damages have been collected from the suppliers of "Sagar Samrat" for the delay in its delivery. The delay due to bad weather conditions was beyond the control of the ONGC. ONGC had to incur certain expenditure during the period of the delay and this expenditure amounted to $ 7000 per day as payment to Drilling Contractor and for supply boats and crew boat. 20 per cent of the expenditure was, however, in Rupees.

Loan for Electrification of Bilaspur District of Himachal Pradesh

4245. PROF. NARAIN CHAND PARASHAR: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Rural Electrification corporation has sanctioned a loan of Rs. 60 lakhs for the electrification of Bilaspur District of Himachal Pradesh;

(b) if so, whether a programme has been drawn up for the electrification of the entire District;

(c) if so, the likely date by which the whole District would be electrified; and

(d) whether the Bhakra Dam Oustee villages and the Harijan Basti in the District would be given priority in the programme of electrification?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) to (c). Yes, Sir. The Himachal Pradesh State Electricity Board has drawn up a scheme for electrification of Bilaspur District of Himachal Pradesh and by the end of the Fifth Plan, 66 per cent of the villages in this District are likely to be electrified.

(d) The schemes sanctioned by the Rural Electrifiction Corporation cover a substantial number of Bhakra Dam Oustee villages. Provision has also been made in the scheme for electrification of Harijan Bastis adjoining the villages covered.

Survey by O. & N. G. C. for Natural Gas in Talai area of Bilaspur

4246. PROF. NARAIN CHAND PARASHAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is a possibility of natural gas in Talai area of Bilaspur District;

(b) if so, whether any survey has been conducted by the Oil and Natural Gas Commission; and

(c) if so, the findings thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN): (a) Yes, Sir.

(b) Yes, Sir.

(c) The geological survey of the area has led to the discovery and delineation of an anticlinal structure worth testing by drilling.

Represetation on unsatisfactory working of Railway out-agencies in Himachal Pradesh

4247. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether any represetation has been received by Government regarding the unsatisfactory working of certain Railway Out-Agencies in Himachal Pradesh; and

(b) if so, the steps taken or proposed to be taken by Government to improve the working of these Out-Agencies?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b): A representation was received in regard to the working of Out-Agencies at Gagret, Bharwain, Pragpur, Jawalamukhi Mandir, and Nadaun.

As no contractor was coming forward to work these Out Agencies due to meagre prospects of traffic, the Mandi Kulu Road Transport Corporation were persuaded to undertake the work. The Corporation had agreed to work each of these Out-Agencies of one day per week as an experimental measure and this arrangement came in force from December, 1972. However, due to inadequate traffic, the Corporation have given up the work and the Agencies have been closed from 1-7-1973.

Rules Governing the Inter-zonal Transfers of Class III and Class IV employees on Railways

4248. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the rules governing the Inter-Zonal transfers of Class III and Class IV employees on the Railways; and

(b) the period generally taken in the effecting of these transfers after the applicatioins have been received by the authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The rules is that ordinarilly a Railway servant shall be employed throughout his service on the Railway or establishment to which he is posted on first appointment and shall have no claim as of right for transfer to another Railway or Railway establishment. But requests from Railway servants for transfer from one Railway to another on grounds of special cases of hardships are considered sympathetically by Railway administrations. The difficulty in such cases is that if a senior person is transferred it reduces the promotion prospects of the staff of the unit to which he is so transferred. In view of this it is provided that transfers on request will normally be in the lowest recruitment grade and subject to the applicant accepting bottom seniority in the new cadre. There is also provision for transfers on mutual exchange between employees of more or less corresponding seniority; this is normally arranged by a system of registeration.

(b) The position varies from Railway to Railway and unit to unit depending upon the cadre position and the willingness of employees for mutual exchange.

Periodicity and circulation of magazines published by Indian Railways

4249. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the names and the number of magazines published by the Indian Railways alongwith the periodicity of publication; and

(b) the average circulation of each one of them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). The Railway Board publishes two monthly magazines, "Indian Railways" (English) and "Bharatiya Rail" (Hindi). The "Indian Railways" has an average circulation of about 4900 copies per month and "Bharatiya Rail" 2500 copies per month.

The Zonal Railways do not bring out any magazines. Staff bulletins and Newsletters are, however, published by them for free circulation among railway employees and railway users.

Expenditure incurred on elections to Parliament in 1971

4250. SHRI YAMUNA PRASAD MANDAL : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have worked out the average expenditure incurred on elections to Parliament Constituency-wise;

(b) if so, the figures for 1971 elections; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): (a) to (c). A statement showing the amount of expenditure incurred by each of States/Union territories for the conduct of the general elections to the House of the People held in 1971 and the average expenditure incurred on each Parliamentary Constituency in a State/Union Territory is laid on the Table of the House. [*Placed in the Library. See* No. LT-5967/73]

In the States of Orissa, Tamil Nadu and West Bengal, elections to Parliament and the State Legislative Assemblies were held simultanously in 1971 and consequently, it is not possible to work out the average expenditure incurred for election in a Parlamentary Constituency in those States.

Railway line from Talcher to Bimlagarh in Orissa (South Eastern Railway)

4251. SHRI P. GANGADEB : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3088 on the 5th December, 1972 regarding Railway Line from Bimlagarh to Talcher (South Eastern Railway) and state whether the survey report under examination in regard to the construction of the Railway line from Bimlagarh to Talcher in the South Eastern Railway in Orissa has been finalised?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): Since the Report of the Study Group appointed by the Government for development of Malangtoli iron ore, has not been received so far, it has not been possible to take a decision regarding construction of the proposed line from Bimlagarh to Talcher.

Prices of Lubricants

4252. SHRI D. B. CHANDRA GOWDA:

SHRI C. K. JAFFER SHARIEF:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have decided to raise the price of all lubricants by Rs. 75 per tonne from next month; and

(b) if so, the reasons alongwith the broad outlines of their consumption in the country?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN) : (a) No such decision has has been taken so far.

(b) Does not arise.

Steps to improve conditions of retiring rooms and Dormitories on the stations of North Eastern Railway and Eastern Railway.

4253. SHRI R. P. YADAV : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that the standard of maintenance of Retiring rooms and Dormitories the North Eastern Railway and Eastern Railway *viz.* at Muzaffarpur, Chupra, Sonpur Katihar and Patna Junction. Dhanbad, Gaya, Arrah in State of Bihar is far from being satisfactory and the incharge and chowkidars of such Retiring rooms are not only callous and negligent but are equally non co-operative and rude in their talks;

(b) whether the chart of furniture supplied to such Retiring Rooms is not maintained properly in as much as the broken furniture is never repaired and on occasions the toilets are very dirty: and

(c) what steps are being taken to improve the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Some complaints of inconvenience caused to passengers in Retiring Rooms have been received by the Railways.

(b) The chart of the furniture supplied in the Retiring rooms is maintained properly and broken furniture is repaired/replaced as and when required. Sustained attention is paid to the cleanliness of these rooms including toilets.

(c) Instructions exist that Station Supdt./Station Master must inspect Retiring Rooms daily to ensure their proper upkeep. These instructions are being repeated. Inspections at all levels are also being carried out to ensure proper maintenance and cleanliness.

Cancellation of trains due to strike by the Railway employees

4254. SHRI R. P. YADAV:
SHRI CHANDRIKA PRASAD:

Will the Minister of RAILWAYS be pleased to state:

(a) the number of mail, express, passengers and goods trains cancelled all over India due to loco strike, guards strike or any other strike by the Railway employees from January to October, 1973;

(b) what is the estimated loss the Railways have suffered due to such strikes; and

(c) what steps are contemplated to avoid such eventualities in future?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). The information is being collected and will be laid on the table of the Sabha.

(c) The legitimate demands of all categories of staff are considered and solved through the various tiers of the collective bargaining machinery—The Permanent Negotiatirg Machinery and the Joint Consultative Machinery—which have been functioning constitutionally and purposefully

over a long period of time. Further, representations coming from any source, including unrecognised Unions, are given due consideration and action, as is approoriate in each case, is taken. When there is so much of scope for raising the points of grievances and getting them redressed, there should really be no room for sudden out-bursts of illegal strikes or agitations like 'Work-to-Rule, 'Work-to- Safety' etc.

Whatever demands are presented to the administration are given due consideration with the utmost sympathy. It has to realised by staff that just because certain demands have been voiced, it does not mean that they should be conceded forthwith. Government have to consider the demands taking into consideration factors like financial resources, the framework of the rules and regulations, justification for accepting the demands and the repercussions of their acceptance.

Private and Assisted Sidings functioning on Allahabad Division without executing proper Agreements

4255. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1264 on the 28th March, 1972 regarding the financial loss to Railways due to non-execution of agreement with sidings (Allahabad Division) and state:

(a) the names of Private and Assisted Sidings which are still functioning on Allahabad Division without executing proper Agreements;

(b) the amount of demurrage charges and other Railway dues which are lying outstanding against the siding owners who are operating on Allahabad Division; and

(c) what action is proposed to be taken to realise Railway due expeditiously?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Agreement with M|s. Indian Explosive, Panki is still to be executed.

(b) and (c). A Statement is laid on the Table of the House. [*Placed in Library, See* No. LT-5968/73].

Files missing from the Office of Divisional Superintendent, Allahabad.

4256. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3081 on the 18th April, 1972 regarding the representation for inadequate supply of labour by Parcel Handling Contractor, Allahabad division and state:

(a) whether the responsibility for the loss of file has been fixed by the Divisional Superintendent, Allahabad;

(b) whether disciplinary action against the person found responsible has been taken;

(c) if not, the reasons therefor; and

(d) the particulars of other files reported to be missing from the office of the Divisional Superintendent, Allahabad together with action taken against the person found responsible?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, the responsibility has been fixed by the Divisional Superintendent, Allahabad on two officials.

(b) Yes. Disciplinary action has been taken against the two officials.

(c) Does not arise.

(d) Two files viz. one relating to award of Goods handling contract at Cooperganj (MG) and the other relating to Parcel handling contract at Kanpur Central station were found

missing from the Office of the Divisional Superintendent, Allahabad. Shri P. C. Gupta, the then dealing Clerk of Commercial Branch, Allahabad who is on long unauthorised absence has been held responsible for the loss of the above files. Disciplinary action will be finalised against him on his resumption of duty.

Rotational Transfer of Employees on Railways

4257. SHRI ISHWAR CHAUDHRY: Will the Minitser of RAILWAYS be pleased to refer to the reply given to Unstarred Qustion No. 1823 on the 4th April, 1972 regarding rotation of employees on Railways and state:

(a) whether the scheme of rotational transfer which was held in abeyance till the end of 1972 has been re-introduced;

(b) whether rotational transfers of dealing clerks who are mostly dealing with public in Commercial, Operating and Engineering Branches of Allahabad Division are made to prevent chances of corruption and if not, the reasons therefor;

(c) whether representations from public, members of Parliament and M.L.Cs. for rotational transfers particularly in Commercial Branch of Allahabad Division has been received by Government; and

(d) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (d). The scheme of periodical transfers has been withdrawn from 1st January. 1973. This scheme had never been applicable to clerical staff working in administrative offices. Even so, whenever complaints of malpractices are received suitable remedial action, including transfer of staff, is taken.

Sale of Unauthorised articles by unlicensed vendors at Kanpur Central and Allahabad Stations

4258. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the sale of unauthorised articles by unlicensed vendors at Kanpur Central and Allahabad Station on the Northern Railway is being permitted by the Station Superintendent concerned and Railway officials;

(b) whether this fact is in the knowledge of the Divisional Authorities;

(c) whether Government are aware that unlicensed vendors are allowed to sell articles a exorbitant rates with the wilful collusion of Railway Police, Platform Inspector and the Station Superintendent; and

(d) if so, what action Government propose to take in the matter to prevent cheating of passengers by these unlicensed vendors at an important station like Kanpur Central and Allahabad?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. This is not permitted.

(b) Does not arise.

(c) Unauthorised vendors are not allowed to sell articles on platforms, but it has been noticed that at times such vendors do sneak in and they are suitably dealt with when detected.

(d) Drives are conducted from time to time to eliminate unauthorised hawking at Allahabad, Kanpur & other important stations. During one such check on 19th November, 1973, 10 persons were arrested at Allahabad and fined. Checks to eliminate unauthorised vending will be continued.

Target for Refining Capacity during Fourth Plan

4259. SHRI C. K. JAFFER SHARIEF: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the targets fixed by Government for the achievement for refining capacity during Fourth Five Year Plan;

(b) the extent to which Government have achieved its goal; and

(c) whether Government have proposed to take steps to build additional capacity for the manufacture of paraffin wax, lubricants and other products to make the country self-sufficient in these products?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The Fourth Five Year Plan provided for a total refining capacity of 25.55 million tonnes to be achieved by the end of the plan period.

(b) Refining capacity to the extent of 24 million tonnes is expected to be achieved by the end of the Plan period.

(c) Yes, Sir.

Steps taken to Relieve Congestion at Howrah Station

4260. SHRI SAMAR MUKHERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the attention of Government has been drawn to the heavy traffic and congestion at the Howrah station; and

(b) if so, what steps have been taken or proposed to be taken by Government to relieve the congestion?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A survey for providing a new suburban terminal for Eastern Railway in Howrah, has been recently completed and the Survey Report is under examination. Also, a survey for provision of auxiliary long distance-cum-suburban terminal for South Eastern Railway in Padmapukur is in progress. Further consideration to these proposals will be given after the survey reports are examined from all angles. Pending decision on the proposal for the new suburban terminal for Eastern Railway referred to above, which also includes provision of additional facilities in the present Howrah Station, the work on underground sub-way connecting the Third Class Booking Office concourse with the bus and tram terminus at a cost of Rs. 9.94 lakhs is in progress.

Nationalisation of M/s. Renusagar Power Company

4261. KUMARI KAMLA KUMARI: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether M/s. Renusagar Power Co., a concern of Birlas, is under expansion plan;

(b) if so, the salient features of the expansion programme and when will it start power supply; and

(c) whether Government are considering of nationalise it, if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) The details regarding the type and capacity of the generating set to be installed is under examination.

(c) There is no proposal at present to nationalise the Company. It is not a public utility, but only a captive unit of M/s. Hindustan Aluminium Co. Ltd.

उज्जैन में नीलगंगा पर रेलवे उपरि पुल की मांग

4262. **श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उज्जैन नगर में नीलगंगा पर रेलवे उपरि पुल की मांग वहां के लोगों द्वारा बहुत दिनों से की जा रही है ;

(ख) यदि हां, तो इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ; और

(ग) पुल के निर्माण में विलम्ब के क्या कारण हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) से (ग). उज्जैन नग में नीलगंगा रोड पर 27-सी समपार के बदले एक ऊपरी सड़क पुल के निर्माण के लिए मध्य प्रदेश सरकार से एक प्रस्ताव मिला है । 1-10-1973 को संयुक्त रूप से स्थान का निरीक्षण किया गया था । राज्य सरकार से योजना से सम्बन्धित सभी ब्यौरा तथा खर्च का तखमीना देने का अनुरोध किया गया है जिसकी प्रतीक्षा की जा रही है । अपेक्षित सूचना मिलने पर ही निर्माण कार्य की योजना बनाने तथा मंजूरी देने के सम्बन्ध में आगे कार्रवाई की जा सकेगी ।

गत पांच महीनों के दौरान पश्चिम रेलवे पर दुर्घटनायें

4263. **श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) विगत पांच महीनों में पश्चिम रेलवे में कितनी दुर्घटनायें हुईं ;

(ख) इन दुर्घटनाओं के परिणामस्वरूप सरकार को कितने रूपये की क्षति हुई ;

(ग) कितने व्यक्ति मारे गए और कितने घायल हुए ; और

(घ) मृतकों के परिवारों को सहायता के रूप में कितनी कितनी राशि दी गई ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) पश्चिम रेलवे पर 1-6-1973 से 31-10-1973 तक की अवधि में टक्कर, पटरी से उतरने, समपारों पर हुई दुर्घटनाओं और गाड़ियों में आग लगने की कोटियों के अन्तर्गत 61 गाड़ी दुर्घटनाएं हुईं ।

(ख) रेल सम्पत्ति को लगभग 11,82,000 रुपए की क्षति होने का अनुमान है ।

(ग) इन दुर्घटनाओं में 8 व्यक्ति मारे गये और 24 घायल हुए ।

(घ) इन दुघटनाओं में ग्रस्त किसी भी व्यक्ति या उस के आश्रितों को अभी तक कोई क्षतिपूर्ति भुगतान नहीं किया गया है ।

विगत पांच महीनों में पश्चिम रेलवे में रेलवे सम्पत्ति की चोरी

4264. **श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) विगत पांच महीनों में पश्चिम रेलवे में रेलवे सम्पत्ति की चोरी के कितने मामले पंजीकृत किए गए ;

(ख) इस सम्बन्ध में कितने व्यक्तियों के विरुद्ध कार्यवाही की गई तथा क्या कार्यवाही की गई ; और

(ग) इन चोरियों से सरकार को कितनी क्षति उठानी पड़ी ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) पश्चिम रेलवे में, जून-अक्तूबर, 1973 की अवधि में बुक किये गये परेषणों / रेलवे का सामान और फिटिंगों की चोरी के 482 मामले दर्ज किये गये थे।

(ख) 795 व्यक्तियों पर मुकदमे चलाये गये। इन में से अब तक 197 व्यक्तियों को दण्ड दिया गया है और 16 व्यक्तियों को बरी कर दिया गया है। 582 व्यक्तियों के मामले न्यायाधीन हैं।

(ग) इन मामलों में चुरायी गयी सम्पति का मूल्य अनुमानतः 2,55,381 रुपये है।

Re-imbursement of Tution Fees to Assistant Station Masters, GMC, Allahabad Division (Northern Railway)

4265. SHRI JAGANNATHRAO JOSHI: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Assistant Station Masters of G.M.C. in Allahabad Division of Northern Railway who have not yet received re-imbursement of tuition fees for the year 1972 and the amount to be paid to them; and

(b) the date by which this re-imbursement would be cleared?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Five Assistant Station Masters have submitted on 23rd November, 1973 their claim for re-imbursement of tuition fees for the period July 1972 to December 1972 amounting to Rs. 237.50.

(b) The claim will be settled in the regular salary bills of December 1973 to be paid in January 1974.

Non-payment of Overtime allowance to Assistant Station Masters of G.M.C., Allahabad Division (Northern Railway)

4266. SHRI JAGANNATHRAO JOSHI: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Assistant Station Masters of G.M.C. in the Allahabad Division of Northern Railway who have not been paid their overtime dues for the year 1972; and

(b) the amount which is to be so paid and the date by which these payments will be cleared?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Only one Assistant Station Master of G.M.C. in the Allahabad Division is alleged to have not received a sum of Rs. 67.10 as overtime for the year 1972. The amount is alleged to have been received by another person and the matter is under investigation. Steps have been taken to expedite the investigation and arranged the payment to the claimant if due.

Conversion of Narrow Gauge Lines into Broad Gauge of Baroda Region

4267. SHRI SOMCHAND SOLANKI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Ministry has decided to convert narrow gauge lines of Baroda region into Broad Gauge lines because of speedy industrialisation; and

(b) if not, the reasons therefor and when proposals made by the Gujarat State Government in this regard are proposed to be considered?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Based on the recommendations

of the Uneconomic Branch Lines Committee—1969, a traffic survey was carried out for the conversion of Chhota Udaipur-Pratapnagar and Chhuchhapura-Tankhala N. G. lines into B. G. The examination of the survey report has shown that the conversion of these two lines would not be justified on financial and traffic considerations.

No other narrow gauge sections in Baroda region were recommended by the Uneconomic Branch Lines Committee for conversion into broad gauge.

Supply of Unhygienic Water to new Railway Colony at Sabarmati (Western Railway)

4268. SHRI SOMCHAND SOLANKI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the fact that unhygienic water is being supplied in the new Railway Colony at Sabarmati (Western Railway) for the last ten years;

(b) whether the attention of the Chairman, Railway Board has been drawn to this fact by the Sabarmati Railway authorities; and

(c) whether the Western Railway authorities have tried to supply hygienic water to the Railway employees; if not the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). Hygienic water is being supplied in the New Railway Colony at Sabarmati and periodic bacteriological and Chemical analyses of the water reveal that the water supplied is potable and safe for general domestic purposes. To improve the existing arrangements, chloronomes are proposed to be installed in the future years.

Survey of Dhans-Bagmati River for implementation of Flood Control-cum-Irrigation project in Darbhanga District of Bihar

4269. SHRI BHOGENDRA JHA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether survey of Dhans-Bagmati river flowing through Madhwapur, Bampatti, blocs of Madhubani and Jogiara Sighbara, Hayaghat blocs of Darbhanga Districts of Bihar for implementing flood control-*cum*-irrigation project by constructing embankments on both sides,sluice gates and channels at suitable intervals has been made;

(b) if so, the main features thereof;

(c) whether the scheme for constructing embankments on both sides of river Mohane from Sighbara to river Khiroi in the District of Darbhanga in Bihar has since been finalised; and

(d) if so, the time-schedule for execution?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDESHWAR PRASAD): (a) and (b). A study of Dhans, which is a tributary of Dharbanga-Bagmati, was made by the Adhwara Technical Expert Committee which has recommended the following works;

(i) Construction of embankments on both sides between Raghauli and Saulighat upstream of the proposed regulator at Raghauli.

(ii) Extension of the right embankment upstream between Saulighat and Agrapatti alone the right bank of river Burhand.

(iii) Diversion of a part of the peak discharge from river Dhans to the old Kamla course from the proposed regulator at Raghauli.

The State Government have carried out investigations but the scheme has not yet been finalised.

(c) No, Sir.

(d) Does not arise.

Construction of Sluice Gate-cum-Bridge over River Khiroi in Bihar

4270. SHRI BHOGENDRA JHA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether efforts have been made for constructing sluice gate-*cum*-bridge over river Khiroi between villages Hariharpur and Kaligaon in Singhbara Bloc near village Muraisha in Jojiara Bloc in Darbhanga District of Bihar, how many times the water levels have been measured and with what specific results;

(b) whether the above-named sluice gates-*com*-bridge projects have been or are being finalised and implemented from the beginning of 1974;

(c) if so, the particulars of the schedule and expenditure; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDESHWAR PRASAD): (a) to (d). Since 1970 hydrological observations have been carried out for the formulation of a scheme for sulice-gate-*cum* bridge over river Khiroi. It has been reported by the State Government of Bihar that the results of the observations made so far have not been favourable for the formulation of the scheme. They have proposed to collect further data.

केन्द्रीय कानूनों का प्रमाणित हिन्दी संस्करण

4271. **श्री मूलचन्द डागा :** क्या **विधि, न्याय और कम्पनी** कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उन केन्द्रीय कानूनों की संख्या कितनी है जिनका प्रमाणित हिन्दी संस्करण अभी तक उपलब्ध नहीं है; और

(ख) क्या केन्द्रीय कानूनों को मूलतः हिन्दी में बनाया जाता है अथवा उन्हें अंग्रेजी में बनाया जाता है और फिर उनका हिन्दी में अनुवाद किया जाता है ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी) : (क) 307 केन्द्रीय अधिनियमों के प्रामाणिक हिन्दी रूपान्तर उपलब्ध है। 413 केन्द्रीय अधिनियमों के प्रामाणिक हिन्दी रूपान्तर तैयार किए जाने हैं । इनमें से, 110 केन्द्रीय अधिनियमों के हिन्दी अनुवादों को अन्तिम रूप दिया जा चुका है और उनके प्रामाणिक रूपान्तरों के शीघ्र ही उपलब्ध हो जाने की संभावना है ।

(ख) संविधान के अनुच्छेद 348 के अधीन, संसद् में पुरःस्थापित किए जाने वाले सभी विधेयकों अथवा उन पर प्रस्तावित किए जाने वाले संशोधनों और संसद् द्वारा पारित सभी अधिनियमों तथा राष्ट्रपति द्वारा प्रख्यापित अध्यादेशों के प्राधिकृत पाठ, जब तक कि संसद् विधि द्वारा अन्यथा उपबन्ध न करे, अंग्रेजी भाषा में होंगे । अन्यथा उपबन्ध किए जाने के लिए कोई विधि संसद् द्वारा अधिनियमित नहीं की गई है तदनुसार, संसद में पुरःस्थापित विधेयक अंग्रेजी में ही तैयार किए जाते हैं और तत्पश्चात् हिन्दी में अनुदित किए जाते हैं। संसद द्वारा यथापारित विधेयकों के, उन पर राष्ट्रपति की अनुमति प्राप्त हो जाने पर, अधिनियम बन जाने के पश्चात् राजभाषा अधिनियम,

1963 की धारा 5(1)(क) के अनुसरण में उनके अनुवाद, राष्ट्रपति के अधिकार से, राजपत्र में प्रकाशित किए जाते हैं ।

किराये तथा मालभाड़े में वृद्धि किये जाने के बावजूद संचयी घाटा

4272. **श्री मूलचन्द डागा :**
श्री शिव कुमार शास्त्री :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1970-71 के अन्त तक कुल संचयी घाटा 87.33 करोड़ रुपये का था और यदि हां, तो इस तथ्य को ध्यान में रखते हुए कि प्रतिवर्ष किराये तथा मालभाड़े में वृद्धि की जाती है और इसके मुख्य कारण क्या हैं; और

(ख) क्या राजस्व रिजर्व निधि और विकास निधि समाप्त हो गई है और रेलवे के विकास के लिए 95.85 करोड़ रुपये उधार लेने पड़े थे यदि हां, तो यह स्थिति कब तक जारी रहेगी ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) जी हां । इस घाटे के मुख्य कारण इस प्रकार हैं :—

(1) यात्री किरायों और माल भाड़ा दरों में उतनी वृद्धि नहीं हुई जितनी निवेश (मजदूरी और सामान) की लागतों में हुई है ।

(2) माल यातायात उतनी मात्रा में नहीं हुआ जितनी कि आशा की गयी थी ।

(ख) जी हां । 1970-71 के अन्त में विकास निधि और राजस्व आरक्षित निधि के अन्तर्गत कर्ज की बकाया देनदारी 95.85 करोड़ रुपये थी । यह स्थिति उस समय तक बनी रहेगी जब तक कि लाभांश की पूरी मात्रा के भुगतान और विकासनिधि को प्रभारित होने वाले निर्माण कार्यों की सभी आवश्यकताएं पूरी करने के लिए पर्याप्त बचत नहीं होती ।

निर्वाचन विधि सम्बन्धी मैनुअल का हिन्दी तथा अंग्रेजी में प्रकाशन

4273. **श्री फूलचन्द वर्मा :** क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) निर्वाचन विधि सम्बन्धी मैनुअल को पिछली बार हिन्दी तथा अंग्रेजी में कब प्रकाशित किया गया था ; और

(ख) अगले संस्करण कब तक प्रकाशित होंगे ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी) : (क) निर्वाचन विधि निदर्शिका के हिन्दी और अंग्रेजी अनुवाद क्रमशः फरवरी, 1967 और फरवरी, 1972 में अन्तिम बार प्रकाशित किए गए थे ।

(ख) निर्देशिका का अगला हिन्दी संस्करण मुद्रणाधीन है और शीघ्र ही प्रकाशित किया जाने वाला है । अंग्रेजी में निदेशिका के पुनरीक्षित संस्करण के प्रकाशन का अभी कोई प्रस्ताव नहीं है ।

Taking over entire Petroleum Trade of Burmah Shell Oil Company by I.O.C.

4274. SHRI PILOO MODY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Indian Oil Corporation Limited has decided to take over the entire petroleum trade of Burmah Shell Oil Company over an area comprising of Kerala, parts of Tamil Nadu and Karnataka States;

(b) if so, the reasons therefor and financial implications of this project; and

(c) what will be the fate of the staff of Burmah Shell working in these areas?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) No decision has yet been taken by the Indian Oil Corporation in this regard.

(b) and (c). Do not arise.

Yardstick fixed for counting currency Notes by shroffs and Chief Booking Clerks on Indian Railways

4275. SHRI PANNALAL BARUPAL:
SHRI ONKAR LAL BERWA:

Will the Minister of RAILWAYS be pleased to state the Yardstick fixed by the Railway administration for the Shroffs working in the Cash Office for counting Government currency Notes and that fixed for counting Government currency Notes by the Chief Booking Clerks/Head Booking Clerks working in the Booking offices at the Stations?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): Information from Zonal Railways is being collected and will be laid on the Table of the Sabha.

Specifying Capacities of Production in C.O.B. Licences issued to foreign Drug firms

4276. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 336 on 13th November, 1973 and state:

(a) the capacity of items covered by permission/no objection letters;

(b) on what basis, the capacity of such items was determined while issuing C.O.B. licences;

(c) whether the production value of each and every items was asked for, and if so, what were the details supplied; and

(d) what is the outgoing foreign exchange involved directly or indirectly?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) The capacities for items covered by permission/no objection letters, in most of the cases, were not specified.

(b) and (c). The applicant firms seeking COB licences were required to furnish production value of items applied for in their applications. Capacity of items granted while issuing COB licences was generally determined on the basis of maximum production achieved during any one of the previous three years.

(d) Does not arise as the capacities fixed were based on levels of production already achieved.

Specifying value of Production covered by C. O.B. Licences issued to foreign Drug Firms

3277. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 336 on 13th November, 1973 and state:

(a) the value of the turn-over covered by the C.O.B. licences/permission/no objection letters issued to firms with foreign equity exceeding 26 per cent.

(b) the number of permission letters issued to each firm against which COB licences were granted, the date and number of issue and the authority under which it was issued;

(c) how many applications from Indian sector, both small scale and organised were received for manufacture of it covered by permission letters/COB licences, how many of them were rejected and whether the reason for rejection as non-availability of technical now-how or otherwise; and

(d) the outflow of foreign exchange involved as a result of this action of the Ministry?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) As already stated in reply to Unstarred Question No. 336 on 13th November, 1973 most of the permission 'no objection letters do not specify capacities. For this reason it is not possible to indicate the value of the turnover covered by them.

The information regarding the value of the turnover covered by the COB licences to firms with foreign equity exceeding 26 per cent. is being collected and will be laid on the Table of the House.

(b) A statement is attached. The COB licences were issued with the approval of the Licensing Committee.

(c) No application received from any Indian company seeking to cover capacities granted to it under permission letters into COB licences has been rejected. Only one such application has been received.

(d) Does not arise as capacities were fixed in COB licences on the basis of the levels of production already achieved.

Statement

Sl. No.	Name of the firms	No. of Permission letter and date
1	May and Baker Ltd. Bombay	No. 3 (61)/68-Ch. III dt. 2-11-68
2.	Glaxo Laboratories (India) Ltd., Bombay	1. No. IIC-I (64)/57 dt. 11-9-57 and 30-9-57 2. No. 22/22/IA(R)/52 dt. 22-5-54 3. No. 22/22/IA(R)52 dt. 22-5-54 4. No. 22 (9)IA/11/57 dt. 25-7-57 5. No. 22 (305)/IA (11)/59 dt. 20-10-59 6. No. 3 (30)/61-Ch. III dt. 3-6-61 7. No. 22 (104)IA (L) 55 dt. 15-7 55 & 4-8-55 8. No. 22/22/IA(R) 52 dt. 22-5-54 9. No. 3 (30) 61-Ch. III dt. 3-6-61 10. No. 3 (4) 61-Ch. III dt. 6-3-61 11. No. 22 (203)/IA (11) 59 dt. 20-4-59 12. No. 22 (394)/IA (11)/60 dt. 16 2-60 13. No. 22 (468)/IA (11)/60 dt. 17-1-61 14. No. 3 (25)/62-Ch. III dt. 29-10-62 15. No. 22 (234)/IA (11)/59 dt. 30-12-59 16. No. 3 (1)/63-Ch. III dt. 24-8-63 17. No. 3 (1)/63-Ch. III dt. 5-8-63 18. No. 22 (272)/IA (11)/59 dt. 19-12-59 19. No. 3 (24)/62-Ch. III dt. 26-7-1962 20. No. 3 (25)/62-Ch. III dt. 25-6-1962

Payment of minimum wages to casual labourers under IOW (South Central Railway)

4278. SHRI BIREN DUTTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether all the casual labourers under I.O.W., S.C. Division, South Central Railway are paid in accordance with the Minimum Wages Act; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). All the casual labourers as are governed by the Minimum Wages Act are paid wages at the rates fixed under that Act.

Transfer of casual labourers working under IOW, Kazipet (South Central Railway)

4279. SHRI BIREN DUTTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether 86 I.O.W. Casual Labourers working under I.O.W. Kazipet S.C. Division have been transferred from I.O.W. Kazipet to P.W.I. Charlapally;

(b) if so, whether it is not against the Railway Establishment manual provision 2501;

(c) what is the difference in daily wages between I.O.W. casual labourer, P.W. I., Casual labourer; and

(d) the loss sustained per day by I.O.W. Casual Labourer if transferred to P.W.I. Gang?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) As they were surplus to requirements of I.O.W. (South) Kazipet, they were offered alternative employment under P.W.I. Cherlapalli to avoid their retrenchment.

(b) Does not arise.

(c) and (d). There is no difference as such between the wages of I.O.W. and P.W.I. casual labourer. Casual labourers, other than those governed by the Minimum Wages Act, are paid at local rates which is 25 paise more per day at Cherlapalli than at Kazipet.

Hunger Strike by Casual Labourers under I.O.W. Kazipet (South Central Railway)

4280. SHRI BIREN DUTTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government received any memorandum in connection with the hunger strike from 3rd October, 1973 by I.O.W. Casual Labourers at Kazipet; and

(b) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND MOHD. SHAFI QURESHI): (a) No.

(b) Does not arise.

Power supplied to U.P. through Bhakra

4281. SHRI S. M. BANERJEE: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the power supplied to Uttar Pradesh through Bhakra, is being used by Delhi; and

(b) whether this fact has been brought to the notice of the Centre by the U.P. Chief Minister and, if so, the steps taken by Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESWAR PRASAD): (a) and (b). Initially while DESU was transmitting to U.P. the full energy received by it from Bhakra, there was difficulty regarding uniformity of supply. The matter has since been resolved satisfactorily.

Demand by Chief Minister of U.P. for more Kerosene oil

4282. SHRI S. M. BANERJEE:
SHRI JYOTIRMOY BOSU:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Chief Minister of U.P. had demanded higher quota of Kerosene oil for U.P. to meet the shortages;

(b) if so, the action taken by Government; and

(c) the total quantity to be supplied during tht month of December, 1973?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) to (c). Several States, including U.P. have been asking for increased supplies of kerosene oil. In the past, it had been extremely difficult to correctly assess the genuine requirements of erosene on account of its large scale admixture with high seed diesel oil (HSDO). The extent of this admixture has been estimated by various agencies to be anything between 30 per cent to 45 per cent of the total past consumption of kerosene oil in the country. In the context ofthe recent equalisation of the retail selling price of kerosene oil and HSDO, it has become somewhat difficult to correctly assess the genuine requirements of kerosene on a State-wise basis. Efforts, are, however, being made to meet the full requirements of kerosene not only of U.P., but of all other States and for this purpose the sale of kerosene oil is being increasingly arranged though the existing petrol/diesel pumps of the Oil Companies with a view to covering the entire country within a period of year. Most of these pumps are located in rural areas. Retail sale arrangement through pumps would supplement the existing channels of retail sale of kerosene oil. According to the best estimates that could be made it is expected that U.P. may be able to consume anything upto 34,000 tonnes of kerosene oil during December 1973; the actual consumption even with 100 per cent satisfaction of demand may be much less. More precise estimates of State-wise consumption cannot obviously be made presently, but will be made after the consumption pattern has been studied in depth and in greater detail, based on the actual region-wise sales during the next six months.

Re-start of Dehli-Shahdara-Saharanpur Light Railway

4283. SHRI S. M. BANERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether action has since been initiated to re-start Delhi-Shahdara-Saharanpur Light Railway; and

(b) whether this line is being converted into Broad Gauge and if so, when work would be started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). It has been decided to construct a Broad Gauge line rather than revive the old Narrow Guage Light Railway. The work on the new Broad Gauge line between Shadara and Sharanpur has been inaugurated by the Hon'ble Prime Minister on 2-12-73.

Replacement of cast Iron and Wooden Sleepers by Concrete Sleepers

4284. SHRI S. M. BANERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether cast iron sleepers and wooden sleepers are being replaced by concrete sleepers for running the trains at faster speeds; and

(b) if so, whether any scheme has been chalked out and if so the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. However, for high speed and heavy densify Broad Gauge lines, concrete sleepers along with Long Welded Rails, are more suitable and the same will be used along with wooden sleepers to the extent available. Cast iron sleepers will continue to be used at locations other than above.

(b) Concrete sleepers are planned to be used on Broad Gauge trunk and important main lines along with long-welded rails.

वर्ष 1970–71 और 1971–72 के दौरान रेलवे माल भाड़े का गबन करने में अन्तर्ग्रस्त रेलवे कर्मचारी

4285. **श्री महा दीपक सिंह शाक्य :** क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1970–71 और 1971–72 के दौरान ऐसे अनेक मामले हुए हैं जिनमें रेलवे माल भाड़े की धोखाधड़ी तथा गबन करने में रेलवे कर्मचारी अन्तर्ग्रस्त हैं; और

(ख) यदि हां, तो ऐसे मामलों की संख्या कितनी है तथा उन रेलवे का ब्यौरा क्या है जहां के ये कर्मचारी हैं तथा इस सम्बन्ध में क्या कार्यवाही की गई है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी) : (क) और (ख). सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

वर्ष 1971–72 के दौरान कपड़े तथा अन्य वस्तुओं की क्षतिपूर्ति के दावों के भुगतान की प्रतिशतता

4286. **श्री महा दीपक सिंह शाक्य :** क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1971–72 के दौरान रेलवे क्षतिपूर्ति के दावों के भुगतान में अन्य वस्तुओं की तुलना में कपड़े के भुगतान का प्रतिशत बढ़ा है ; और

(ख) यदि हां, तो उसके क्या कारण हैं और इसको कम करने के लिए सरकार ने क्या कार्यवाही की है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी) : (क) जी नहीं । 1971–72 के दौरान भुगतान की गई सूती कपड़े से सम्बन्धित क्षतिपूर्ति के दावों की राशि, उस वर्ष भुगतान की गई क्षतिपूर्ति की कुल राशि का 5.6 प्रतिशत थी जब कि अनाज एवं दालों से सम्बन्धित 22.4 प्रतिशत, बीनी और गुड़ से सम्बन्धित 8 प्रतिशत, कोयला एवं कोक से सम्बन्धित 6.7 प्रतिशत तथा लोहे एवं इस्पात से सम्बन्धित राशि 6.1 प्रतिशत रही ।

(ख) और भाग (क) के उत्तर को ध्यान में रखते हुए इसका प्रश्न ही नहीं उठता । फिर भी, मार्ग में सूती कपड़ों के प्रेषणों के खोने, उनकी चोरियां, उठाईगिरी एवं क्षति के फलस्वरूप होने वाले दावों की संख्या कम करने के उद्देश्य से उपाय किये गये हैं जैसा कि संलग्न विवरण में बताया गया है ।

विवरण

मार्ग में सूती कपड़ों के प्रेषणों के खो जाने उनकी चोरी, उठाई गिरी और क्षति के फलस्वरूप होने वाले संख्या कम करने के उद्देश्य से किये गये उपाय

(i) माल डिब्बों की तोड़फोड़ की रोकथाम के लिए उनमें समुचित रूप से रिबट और ताले लगाये जाते हैं ।

(ii) भेद्य खण्डों में, रेलवे सुरक्षा दल के सशस्त्र कर्मचारियों द्वारा माल गाड़ियों का यथा सम्भव मार्गरक्षण किया जाता है ।

(iii) भेद्य और बड़े यार्डों में सशस्त्र रेलवे सुरक्षा दल के कर्मचारियों तथा रेलवे सुरक्षा दल के कुत्ता दलों द्वारा गश्त लगायी जाती है ।

रेल सम्पत्ति (विधि विरुद्ध कब्जा) अधिनियम, 1966 के अन्तर्गत अपराधियों एवं चोरी की रेल सम्पत्ति लेने वालों का पता लगाने के उद्देश्य से रेलों की अपराध असूचना शाखा तथा रेलवे बोर्ड के केन्द्रीय अपराध ब्यूरो के कर्मचारियों द्वारा अपराध आसूचन इकट्ठी की जाती है और अचानक छापे मारे जाते हैं ।

अपराधियों तथा चोरी की सम्पत्ति प्राप्त करने वालों से निपटने के लिए रेलवे सुरक्षा दल, सरकारी रेलवे पुलिस तथा राज्य पुलिस अधिकारियों की बीच भली भांति समन्वय रखा जाता है ।

पैकेजों पर समुचित रूप से निशान लगाये जाते और पते लिखे जाते हैं जिससे वे अन्यत्र न चले जायें ।

माल डिब्बों पर ठीक प्रकार लेबिल लगाये जाते हैं ताकि वे गलत स्थानों पर न भेज दिये जायें और उन्हें असम्बद्ध होने से रोका जा सके ।

सही प्रलेखनों पर जोर दिया जाता है और माल डिब्बों के साथ संगत प्रलेख को प्राप्त किया जाता है ।

चढ़ाते तथा उतारते समय पैकेजों का समुचित पर्यवेक्षण किया जाता है और सावधानी से उनका मिलान किया जाता है ।

कर्मचारियों और अन्य अनियमितताओं तथा कदाचार के मामलों का पता लगाने के लिए अचानक जांच करने के काम में तेजी लायी गई है ।

स्टेशनों द्वारा जारी किये गये और प्राप्त क्षति एवं कमी सम्बन्धी सूचनाओं का नियमित रूप से विश्लेषण किया जाता है ।

Demand for New Railway Stations at Nawpara and Baranagar (Eastern Railway)

4237. SHRI MOHAMMED ISMAIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any demand for new Railway Stations at Nawpara and Baranagar between Dum Dum and Belgharia in Sealdah Division of Eastern Railway; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A proposal for opening of a halt station at Nawpara between Dum Dum and Belgharia stations has been received and examined but the same has not been found justified financially as well as from the engineering and operating points of view.

बिहार के भागलपुर जिले में गांवों का विद्युतीकरण

4288. **श्री ज्ञानेश्वर प्रसाद यादव :** क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि

(क) 1972–73 में बिहार के भागलपुर जिले में कुल कितने गांवों में बिजली लगाई गई है; और

(ख) सरकार भागलपुर जिले के कौन से गांवों में वर्ष 1973–74 में बिजली लगाना चाहती है और इस कार्य के कब तक पूरा हो जाने की संभावना है ?

सिंचाई और विद्युत मंत्रालय में उपमंत्री (श्री सिद्धेश्वर प्रसाद) : (क) 1972–73 के दौरान बिहार के भागलपुर जिले में में उन्नीस गांवों का विद्युतीकरण किया जा चुका है ।

(ख) 1973–74 के दौरान बिहार राज्य बिजली बोर्ड द्वारा जिन तैंतीस गांवों में बिजली लगाने का प्रस्ताव है, उनके नाम नीचे दिए गये हैं :—

नाम

1. लोकड़ा
2. कौना
3. असियाता
4. दुर्गापुर
5. अरहरा
6. कटिया
7. चुटिया
8. आमरापुर
9. दगुधक
10. मकनपुर
11. चोरा
12. करिआँर
13. रानीसिआर
14. मैकर
15. खड़वा
16. खिरिआस
17. नवादा
18. लोगाइस
19. आमदेवपुर
20. लक्ष्मीपुर
21. चरई
22. महेशपुर
23. देनपुर
24. पिरनौवा
25. अजोजपुर
26. मलगचक
27. जगन्नाथपुर
28. सरध
29. दोस्कनी
30. दोंदा बाजार
31. नाहदेवपुर
32. चैनपुर
33. किशनपुर

इन गांवों के विद्युतीकरण में 3 वर्ष से अधिक अवधि लगेगी ।

नाथद्वारा स्टेशन को स्थानान्तरित करने की योजना

4289. **श्री लालजी भाई :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान राज्य में मारवाड़ जंकशन तथा मावली जंकशन के बीच की रेल लाईन पर नाथद्वारा रेलवे स्टेशन पर उतरने वाले सैकड़ों यात्री इस स्टेशन से शहर तक कोई परिवहन व्यवस्था न होने

के कारण यथासमय तीर्थस्थान पर नहीं पहुंच पाते हैं ;

(ख) यदि हां, तो क्या नाथद्वारा स्टेशन को शहर के समीप लाने के सम्बन्ध में सरकार के पास कोई योजना विचाराधीन है ; और

(ग) यदि हां, तो उसकी मुख्य बातें क्या हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी) : (क) जी नहीं । नाथद्वारा स्टेशन से नाथद्वारा मंदिर तक निजी बसें चलती हैं । इन दो स्थलों के बीच परिवहन की सुविधाएं अपर्याप्त होने के बारे में कोई शिकायत / अभ्यावेदन प्राप्त नहीं हुआ है ;

(ख) नाथद्वारा रेलवे स्टेशन को हटाने का कोई प्रस्ताव नहीं है ।

(ग) प्रश्न नहीं उठता ।

आदिवासी क्षेत्रों में रेलवे स्टेशन

4290. **श्री लालजी भाई** : क्या **रेल मंत्री** यह बताने की कृपा करेंगे कि :

(क) विभिन्न राज्यों में वर्ष 1971–72 और 1972–73 के दौरान आदिवासी क्षेत्रों में विभिन्न स्थानों पर 25 मील से अधिक दूरी पर कितने रेलवे स्टेशन स्थापित किये गये हैं और उन क्षेत्रों में कितने स्टेशन बनाने का विचार है; और

(ख) क्या उन क्षेत्रों में रेल सुविधाएं उपलब्ध कराने की कोई योजना सरकार के विचाराधीन है और यदि हां, तो उसकी मुख्य बातें क्या हैं ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी) : (क) और (ख) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

विभिन्न सेक्शनों पर वर्ष 1971–72 और 1972–73 के दौरान रेलवे सम्पत्ति की चोरियां

4291. **श्री लालजी भाई** : क्या **रेल मंत्री** यह बताने की कृपा करेंगे कि :

(क) देश के विभिन्न राज्यों में सन् 1971–72 और 1972–73 के दौरान रेलवे सम्पत्ति की चोरी की कितनी घटनाएं घटीं और कितने मूल्य की सम्पत्ति की चोरी हुई; और

(ख) रेलवे सम्पत्ति की चोरियां रोकने के लिए सरकार ने क्या कार्यवाही की है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ीकुरेशी) : (क) एक विवरण सभा-पटल पर रखा है, जिसमें रेलवे-वार स्थिति दिखाई गई है । (**ग्रन्थालय में रखा गया । दखिए संख्या** Lo To 5969 / 73)।

(ख) रेल सम्पत्ति की चोरी रोकने के लिए निम्नलिखित कदम उठाये जा रहे हैं:—

(1) सभी महत्वपूर्ण यार्डों, मालगोदामों कारखानों और भण्डार डिपों आदि में चौबीसों घण्टे रेलवे सुरक्षा दल का पहरा रहता है ।

(2) भेद्य खण्डों में लादित माल गाड़ियों में, विशेष रूप से उन गाड़ियों में जिनमें ऊंचे दर वाली वस्तुएं ढोने वाले माल डिब्बे लगे होते हैं, रेलवे सुरक्षा दल के अनुरक्षी तैनात रहते हैं ।

(3) चोरी का माल रखने वालों के विरुद्ध विशेष अभियान चलाये जाते हैं और रेल सम्पत्ति (विधि-विरुद्ध कब्जा) अधिनियम 1966 के अधीन मामलों का चालान किया जाता है ।

(4) अपराधियों की गतिविधियों पर निगाह रखने के लिए सादे कपड़ों में रेलवे सुरक्षा दल के कर्मचारी नियुक्त किये जाते हैं ।

(5) रेलों पर अपराधों की रोक-थाम करने और उन्हें पकड़ने के लिए रेलवे ट्रेड यूनियनों से सहायता और सहयोग लिया जाता है ।

(6) रेलों में सक्रिय बदमाशों पर निगरानी रखने के लिए राज्य पुलिस प्राधिकारियों के साथ आवश्यक समन्वय बनाये रखा जाता है ।

(7) अपराधियों को और चुराई गई सम्पत्ति रखने वालों को आन्तरिक सुरक्षा अनुरक्षण अधिनियम के अधीन विरुद्ध किया जाता है ।

Meeting of Indo-Bangladesh Rivers Commission

4292. SHRI M. S. SANJEEVI RAO: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Indo-Bangladesh Rivers Commission met in November, 1973; and

(b) if so, the subjects discussed in the meeting and outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The Indo-Bangladesh Joint River Commission met in Dacca during 8—10 November, 1973. The important matters discussed and the outcome are indicated below:—

The experience gained during the monsoon of 1973 in the field of meteorology, flood gauging and forecasting was reviewed for further improvement in accuracy and speed.

It was agreed that in regard to long-term planning for flood protection, the work of the Flood Control Commissions in India would be coordinated with similar work in Bangladesh.

It was decided that the data on the possibilities of multipurposes projects and storages in the hilly catchments in India and outside would be compiled and examined to see how benefits of increased fair-weather flow and of flood moderation could be incorporated in them.

In regard to the flood problem of the northern region of Bangladesh and West Bengal, the Commission decided on a procedure for coordinating the flood control works on the Indian side with similar work in Bangladesh.

On the question of the long-term planning for the flood control in Sylhet-Cachar and adjoining areas, the reports of the concerned officials of the two countries was considered and it was decided that in these investigations emphasis should be laid on storage possibilities in the basin and estuarine control of the Meghna river system.

It was agreed that the joint hydrographic survey of the Ganga from below Farakka upto the Gorai offtake at close intervals of cross-sections should be taken up and completed during the working season of 1973-74.

In order to speed up the work of the Commission it was decided that Members visit areas in Bangladesh and concerned States in India and discuss problems with the respective officials.

Introduction of Public Trusts Bill, 1968

4293. SHRI P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to introduce the Public Trusts Bill, 1968 in Parliament;

(b) if so, when; and

(c) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) Does not arise.

(c) The draft Public Trusts Bill, 1968, was circulated to the State Governments and Union Territory Administrations for eliciting their views. After examining the views expressed by them, Government have referred the matter to the Law Commission for their consideration.

Bhavnagar-Tarapur and Kapadvanj-Modasa new Railway Lines in Gujarat

4294. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) the progress so far made in the matter of construction of two new Railway lines in Gujarat viz. (i) Bhavnagar-Tarapur (ii) Kapadvanj-Modasa;

(b) whether the pace of construction will be accelerated, and if so, how; and

(c) if not, why not?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) So far as Bhavnagar-Tarapur B. G. rail link is concerned, the Planning Commission have been approached to accord their concurrence and allotment of necessary funds for taking up its construction. Further action towards sanctioning the project will be taken after approval of the Planning Commission is received.

As regards Modasa-Kapadvanj new line, a traffic survey sanctioned on 28-6-1973 for a metre gauge line from Shamlaji Road to Modasa and Kapadvanj and alternatively, for the conversion of Nadiad-Kapadvanj N. G. section into B. G. and its extension upto Modasa, is in progress. The proposal will be further considered after survey is completed.

(b) and (c) do not arise.

Looting of Wagon containing Motor Tyres in Block Sections between Matari and Gomoh

4295. SHRI BHOLA MANJHI:
SHRI RAMAVATAR SHASTRI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a wagon containing costly Motor Tyres was looted by criminals in the block section between Matari and Gomoh on the 6th June, 1973 and the Railway Employees were assaulted; and

(b) if so, the broad features of the incident and the action taken by Government to check recurrence of such cases and to ensure security of the staff on duty?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b) On 6-6-1973 at about 10.32 hours, goods train No. EC 587 Up after starting from the intermediate Block Home Signal, situated between Matari and Gomoh, suddenly stopped due to dropping of vacuum and 10/12 persons started unloading motor tyres from wagon No. ER 5949. The Guard of the train was stopped by the miscreants from proceeding towards the

wagon in question. The Asstt. Driver of the train who tried to set right the vacuum of the train, was manhandled by the criminals. 16 motor tyres valued at about Rs. 14,400/- were taken away by the criminals. 8 stolen motor tyres valued at Rs. 7.200/- were later recovered by the R.P.F. with the arrest of 3 persons.

Government Railway Police, Gomoh have registered a case under Sections 395 IPC/128 Indian Railways Act, which is under investigation.

As a preventive measure, escorting by the R.P.F. of all goods trains carrying valuable commodities was started in this Section. R.P.F. Pickets were also posted at the intermediate Block Home Signal between Matari and Gomoh.

Effect of curtailment of Expenditure on Tube Railway Project for Calcutta

4296. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether proposed curtailment of expenditure on Railways will affect the Tube Railway Project for Calcutta; and

(b) if so, to what extent and the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No.

(b) Does not arise.

Take-over of Martin Burn Railways in Howrah-Hooghly Districts of Calcutta

4297. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether decision of Government to take-over Martin Burn Light Railways in Howrah-Hooghly Districts of Calcutta will be affected by the decision of Government curtailing Railway expenditure; and

(b) if not the reasons for the delay in the take-over?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). There is decision of the Government to take-over the Light Railways. Instead, it is proposed to construct Broad Gauge lines in the areas served by the erstwhile Light Railways: with the cost being shared on 50 : 50 basis between the Railways and the West Bengal Government.

Industrial licences awaiting clearance by MRTP Commission

4298. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and other particulars of industrial licences for West Bengal awaiting clearance by the Monopolies and Restrictive Trade Practices Commission;

(b) the reasons for delay in clearing these licences; and

(c) when such licences will be cleared?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI DEBABRATA BARUA): (a) None of the proposals under Section 21 or Section 22 of the M.R.T.P. Act referred to the MRTP Commission which are now pending with it for further inquiry relates to the expansion or the establishment of a new undertaking in West Bengal.

(b) and (c). Does not arise.

Agitation over price rise of petroleum products and its impact on transport

4299. SHRI SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have taken notice of all-India agitation against the abnormal price rise in petroleum and allied products;

(b) whether such price rise will seriously affect urban and rural transport industry, trade and commerce and education in rural areas;

(c) if so the reaction of Government thereabout; and

(d) the steps proposed to meet the difficulties of the people arising out of such price rise of petrol, kerosene and other allied products?

THE MINISTRY OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (d). In view of the steep and continuing worldwide increases in the prices of imported crude oil and re-fined products and difficulties in obtaining supplies even at steeply increased prices, increase in the price of petroleum products and certain curbs on consumption have become inescapable. This is bound to affect various sections of society in varying degrees. While it is not possible to wholly insulate any section of the society from the impact of this situation, in deciding the quantum of price increases, Government have accorded special treatment to certain products such as High Speed Diesel Oil and Naphtha which play a vital role in the economy of the country. To minimise the effect on public transport, the basic excise duty on High Speed Diesel Oil has also been reduced to Rs. 100 per KL so as to keep down its price to the extent possible.

Loss incurred due to breakdown of Power Plants

4300. SHRI AJIT KUMAR SAHA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the attention of Government has been drawn to the innumerable breakdowns of the various power plants and consequent loss incurred by the country;

(b) if so, the broad features thereof; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD) (a) Yes, Sir.

(b) and (c). The break-downs are mainly in the thermal power stations. They are due to poor operation and maintenance, shortage of spares, poor quality of coal and highly abrasive nature thereof. On account of this the boiler plant and its auxiliary equipment have shown high rate of wear and tear and resulted in breakdown of important auxiliaries like I.D. Fan, coal mills or resulted in boiler tube leakages, particularly, in the super heaters and the economisers. Certain turbo-generator sets have suffered damage and break-down due to faulty design and construction of the turbo-generator. There have also been break-downs due to miscellaneous faults of various complex auxiliary systems or the electrical equipment of the power plants.

The following measures have been taken and are being continued for improving the maintenance of power plants in the conutry:—

(1) The project authorities have been advised to keep up a

programme of preventive maintenance and ensure availability of adequate supplies of spares in the case of both hydro-electric and thermal power plants. Expert advice from the Central Water and Power Commission is also made available wherever required.

(2) In regard to the thermal power plants, the following further measures are being taken:—

(i) Ensuring supply of suitable quality of coal and fuel oil in adequate quantities.

(ii) Improvement of fuel quality in the case of power plants using washery by-product fuels (in the eastern region) by restricting such use to three-stage washery middlings.

(iii) Provision of appropriate repair facilities through BHEL and import of urgent spare parts, wherever necessary.

(iv) Special plant improvement measures for rehabilitating and improving the performance of certain power plants, especially in the eastern region.

(v) Visits by experts deputed by the Government of India for assessing and suggesting possibilities of improvement.

(vi) Provision of training facilities for operation and maintenance personnel.

Receipt of profitability return of foreign drug firms

4301. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 204 dated the 13th November, 1973 and state:

(a) whether profitability returns of foreign drug firms with more than 26 per cent foreign equity which have opted for para 14 of the Drugs (Price Control) Order, 1970 for full one year have since been received;

(b) if so, whether these would be placed on the Table of the House;

(c) which of the firms have exceeded the prescribed limit of profits; and

(d) whether Government are satisfied that the profits have not been manipulated?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). As per returns submitted by the firms a statement showing profitability on sales turnover of drug firms with more than 26 per cent foreign equity, which have opted for para 14 of the Drugs (Prices Control) Order, 1970 for the year 1971/1971-72 is enclosed.

(c) M/s. Cyanamid (I) Ltd., and M/s. Roche have exceeded the prescribed limit of profit and funded separately.

(d) The profitability returns are certified by Chartered Accountants.

Statement

S.No.	Name of the firm	Gross profit before Tax on Sales Turnover. (1971/1971 72)
1	2	3
1.	M/s. Alkali & Chemical Corporation . . .	Loss
2.	M/s. Anglo French Drug Co.	11·06
3.	M/s. Bayer (India) .	4·00

1	2	3
4.	M/s. Boehringer Knoll	2·65
5.	M/s. Boots Co. (I) Ltd.	14·30
6.	M/s. Burrough's Wellcome.	8·72
7.	M/s. CIBA of India	8·80
8.	M/s. Cyanamid (I) Ltd.	16.59
9.	M/s. Duphar-Interfran	11·00
10.	M/s. German Remedies.	12·80
11.	M/s. Glaxo Labs.	9·30
12.	M/s. Hoechst Pharmaceuticals	8·20
13.	M/s. Johnson & Johnson	5·70
14.	M/s. May & Baker	12·47
15.	M/s. Merck Sharp Dohme of India	13·00
16.	M/s. Pfizer Ltd.	13·04
17.	M/s. Parke-Davis	15·00
18.	M/s. Richardson Hindustan	4·00
19.	M/s. Roche	20·00
20.	M/s. Sandoz	10·20
21.	M/s. Searle	11·60
22.	M/s. Smith Nephew	Loss
23.	M/s. Tata Fison	Loss
24.	M/s. Warner Hindustan	14·20
25.	M/s. Abbot Laboratories	14.41
26.	M/s. G. W. Carnick.	Loss
27.	M/s. Ethnor	10·20
28.	M/s. Roussel (Franco-Indian	4·90
29.	M/s. C.E.Fulford	Loss
30.	M/s. Indian Sherring	12·00
31.	M/s. E. Merck	10.14
32.	M/s. Nicholas	13·30
33.	M/s. Smith Kline & French	14·20
34.	M/s. Biological Evans	9·83
35.	M/s. Geoffery Manners	12·93
36.	M/s. Martin & Harrris	Loss
37.	M/s. Mysore Industrial & Testing Lab.	6·89
38.	M/s. Organon.	8·53
39.	M/s. Rallis India	6·81
40.	M/s. Suhrid Geigy	5·95
41.	M/s. UNI-UCB	9·43
42.	M/s. Wander Ltd.	8·60
43.	M/s. Wyeth Laboratories	13·00
44.	M/s. John Wyeth & Bros.	7·40
45.	M/s. U. S. Vitamins & Pharmaceuticals	12·40
46.	M/s. Carter Wallace	9·92
47.	M/s. Cooper Laboratories	12·60
48.	M/s. Curewel	
49.	M/s. Laboratories Orimault	
50.	M/s. Uni-Sankyo	
51.	M/s. Ward Blenkinsop	
52.	M/s. Chritsine Holden	not-received.
53.	M/s. Whiffens	
54.	M/s. Dental Products	
55.	M/s. Anglo Thai	
56.	M/s. Leukoplast	

Decision on recommendations of the Bureau of Industrial Costs and Prices on Drugs

4302. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 300 dated the 13th November, 1973 and state:

(a) When the decisions of Government on the recommendations contained in the report of the Working Group are expected to be announced;

(b) whether normally such recommendations for price fixation are for a definite period of 1—3 years;

(c) if so, what is the period recommended in this case and what portion thereof has already expired; and

(d) whether on account of the delay some of the recommendations have become out-of-date, as a result of escalation of prices of some raw materials ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (d). The report of the Working Group set up under the Chairmanship of the Chairman, Bureau of Industrial Cost and Prices is under consideration. In taking a final decision all relevant aspects will be kept in view.

Requirements Production and Import of Alkyl Benzene

4303. SHRI JAGANNATH MISHRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether India is meeting its requirement of Alkyl Benzene only through imports;

(b) if so, the quantity imported annually during the last three years;

(c) whether there is no production of this chemical in India;

(d) if so, whether Government propose to give licences to private/public concerns for the production of this chemical; and

(e) if so, the salient feautres thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

Year	Quantity in tonnes	Value in Rs/ Lakhs
1970-71 .	60·33	88·47
1971-72	94·32	142·58
1972-73 .	33·73	44·74

(c) At present there is no production of Alkyl Benzene in India.

(d) and (e). Government has already approved project of M/s. India Petrochemicals Corporation Ltd., Baroda (a Public Sector undertaking) for the manufacture of biodegradable Alkyl Benzene having the capacity of 30,000 tonnes per year. The production will be based on the kerosene available from Koyali Refinery. Their foreign collaboration has been approved and they are going ahead with the implementation of this project.

A private sector unit viz. M/s Beryl & Co. is registered with DGTD for manufactured of Alkyl Benzene for kerosene on their own know-how. for kerosene on their own know-how This party has not so for reported the production of this item.

Companies registered under Section 26 of the MRTP Act 1969

4304. SHRI JAGANNATH MISHRA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the companies which have registered themselves under Section 26 of the MRTP Act, 1969 since its enactment; and

(b) the number of licences issued to them, company-wise and item-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) A Statement showing the names of undertakings registered under section 26 of he M.R.T.P. Act, 1969 upto 30th November, 1973 is laid on the Table of the House. [*Placed in Library See.* No. LT-5970/73].

(b) The information is being collected and a Statement will be laid on the Table of the House.

New Railway lines in Dadra and Nagar Haveli Areas

4305. SHRI R. R. PATEL: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that Dadra and Nagar Haveli is a backward area in respect of Railways;

(b) whether there is any proposal to lay out new Railway line in that area; and

(c) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) No.

(c) Does not arise.

Applications from persons in Dadra and Nagar Haveli for Cooking Gas Agencies

4306. SHRI R. R. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of applications received for Cooking Gas Agencies in Dadra and Nagar Haveli during the year 1972-73; and

(b) the number of applications still pending?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) At present there are no arrangements for the sale of cooking gas in Dadra and Nagar Haveli.

(b) Does not arise in view of answer to (a) above.

Gas Agencies given in Dadra and Nagar Haveli

4307. SHRI R. R. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of domestic gas agencies given in the Union Territory of Dadra and Nagar Haveli;

(b) whether Government are considering to sanction new agencies in that territory; and

(c) if so, on what criteria?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). Indane is not being presently marketed in the Union Territory of Dadra and Nagar Haveli.

The availability of liquified petroleum gas (LPG) and of the Cylinders for its distribution is limited. The steadily increasing availability of LPG and cylinders is therefore, being utilised on a planned basis, first to clear the existing demands in the cities where it has already been introduced and then in the areas where it is yet to be introduced on the basis of the size of the cities, the potential demand therein and other such factors. On this basis, Dadra and Nagar Haveli have not been included in the plans for the extension of Indane in the near future.

Corruption cases pending against certain Officers of Northern Railway

4308. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that Stores worth Rs. 5 to 10 lakhs are purchased by the Northern Railway every day;

(b) whether Government are also aware that concerend Stores Officers indulge in corrupt practices in getting these stores purchased;

(c) whether there are cases of corruption pending against any Stores Officers of the Northern Railway, particularly C.O.C., SS(IA), Dy. COS (G), SSO(II), ACOS (I), ACOS (Cement), ACOS (WC); and

(d) if so, what is the progress in these cases?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The Northern Railway has placed orders for the purchase of Stores worth on an average about Rs. 2.60 lakhs per day during 1972-73 and the total value of the orders placed during the financial year 1972-73 is Rs. 7,13,96,000. The value of purchase of stores works out to approximately Rs. 2.95 lakhs per working day taking an average of the last three financial years, viz. 1970-71 1971-72, 1972-73 during which period the total purchases had amounted only to approximately Rs. 25.22 crosces The purchases by Northern Railway during the period 1-4-73 to 30-9-73 during the current financial year (1973-74), have amounted to Rs. 4.29 crores. The above figures exclude the orders placed against Rate/Running contracts entered into by the D.G.S.&D. and the purchases made through Joint Plant Committee, D.G.S.&D., Railway Board and other Central Purchasing bodies.

(b) It is not a fact that the concerned Stores Officers indulge in corrupt practices while making purchases of the requisite stores. However, where any complaint of corrupt practices of any Railway Officers come to the notice of the Vigilance Organisation functioning on all the zonal Railways and in the Railway Ministry or any such corrupt practices come to the notice of the Vigilance Units durring preventive/surprise checks which are also frequently carried out, these are fully investigated and appropriate action is taken against the officers found guilty. Any case attracting vigilance angle which is investigated against Gazetted Officers, is invariably referred to the Central Vigilance Commission for advice.

(c) and (d). There are a few complaints not relating to purchase of stores against certain officers of the Stores Department working on the Northern Railway. The cases are at various stages of investigation/departmental enquiries. There is, however, no case of corruption pending against the officers mentioned by the honourable Member.

Demonstration by All India Station Masters' Association

4309. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the All India Station Masters' Association demonstrated before Parliament on the 29th April, 1972 and submitted a 10-point memorandum to the Railway Minister;

(b) whether Station Masters postponed their agitation on the assurances given by the Railway Minister; and

(c) the gist of the demands accepted, if any?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). The 10 demands of the SMs and ASMs received by Government and Government's reaction thereto are contained in the reply to Unstarred Question No. 1116 in Lok Sabha on 27-2-1973.

Promotion Course for Assistant Station Masters (Grade Rs. 205- 280) to Station Master (Grade Rs. 205—280) and Combined Seniority List

4310. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Board has not prescribed any promotion course for A.S.Ms. (Grade Rs. 205—280) for promotion as Station Master in grade Rs. 205—280;

(b) whether in some Railways the seniority of Assistant Station Masters and Station Masters Grade Rs. 205—280 is combined; and

(c) the details, Railway-wise, where seniority of Station Masters and Assistant Station Masters grade Rs. 205—280 is combined and where there is no promotion course from Assistant Station Master to Station Masters?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Promotion courses for non-gazetted staff are nomally prescribed by the General Managers and not by the Railway Board. But the Railway Board have recently compiled and issued a syllabus to be followed in promotion courses including that from A.S.M. to S.M. grade Rs. 205—280, where the same has been prescribed.

(b) Yes.

(c)

Railways where Seniority is combined	Railways where there is no promotion course at present
Central	Central
Southern .	North Eastern
South Central .	Northeast Frontier
Western	South Central Western

Information from Eastern and South Eastern Railways is being collected and will be laid on the Table of the Sabha.

Production of Sulphuric Acid by Sindri Fertilizer Factory

4311. SHRI RAJDEO SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Sindri Fertilizer Factory has launched a rationalised project to produce 880 tonnes of sulphuric acid a day;

(b) whether this aims at removing the plant's dependence on low quality natural gypsum; and

(c) if so, whether the gypsum based fertilizers are being gradually abandoned?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The raionalisation scheme under implementation is designed to produce phosphatic fertilizers in the form of triple super phosphate with sulphuric acid and phosphoric acid as intermediate products. The by-product gypsum thrown up in the production of phosphoric acid would be used for the manufacture of ammonium sulphate for which natural gypsum is presently being used.

(c) No, Sir.

Searching alternative power resources

4312. SHRI B. S. BHAURA: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government are searching for alternative power resources; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATON AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). The National Committee on Science and Technology have set up a Panel on Fuel and Power and several Experts Groups under this Panel for examining the potentials in alternative sources of energy such as tidal-Solar-Wind-and Geothermal Research and development work, as may be necessary as well as techno-economic studies for developing appropriate projects, will be taken up on the basis of the report of the Panel.

Supply of Petrol to Bangladesh

4313. DR. H. P. SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether petrol has been supplied by India to Bangladesh, if so, how much petrol was supplied to that country during the past two years; and

(b) the value thereof in terms of money?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir. 11383 tonnes till the end of September, 1973.

(b) Rs. 84,25,940/-

Statement on Petrol Crisis

4314. DR. H. P. SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether in a background paper on the petroleum crisis, the Minister of Petroleum and Chemicals has forewarned the people again of "a further increase" in the price of petrol and other petroleum products; and

(b) if so, whether Government would lay the paper on the Table of the House?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The Minister of Petroleum and Chemicals addressed the Chief Minister of all States and Lt. Governors/Chief Commissioners of all Union Territories on 17-11-1973 apprising them of the tight position of availability of crude and petroleum products and seeking their cooperation in ensuring that the consumption of petrol in all Government vehicles is sharply cut and the State Governments/Administrations should be ready with contingency plan for introducing rationing of petrol at short notice.

(b) A copy of letter dated 17-11-1973 is laid on the Table of the House. [*Placed in Library See.* No. LT-5971/73].

Supply of Gas to V.I.Ps.

4315. SHRI R. N. BARMAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether gas is being supplied to VIPs. on demand;

(b) whether this Ministry or the Indian Oil Corporation prepare priority list of V.I.Ps;

(c) if so, categories of persons treated as V.I.Ps; and

(d) the steps Government proposes to take to remove this disparity?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir, but only within the prescribed limit of 20 refills per day and one new gas connection per day.

(b) Previously this work was handled by the I.O.C. However, purely as temporary measure, during the period of shortage only, this function has been taken over by the Ministry.

(c) Members of the Diplomatic Corps, Members of Parliament, Hospitals, doctors etc.

(d) IOC has since wiped off almost the entire back-log in the month of November and early December by arranging increased supplies ex-Koyali Refinery and the supplies are normal now. IOC has supplied 1,26,000 cylinders in the month of November against normal requirement of 1,10,000.

With normalcy almost fully, resorted, the system of maintaining priority list is proposed to be discontinued within the next few days.

रेलवे वर्कशाप; झांसी (मध्य रेलवे) का मासिक उत्पादन (आऊटटर्न)

4316. डा० गोविंद दास रिछारिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) रेलवे वर्कशाप झांसी (मध्य रेलवे) का पिछले साल भर का मासिक उत्पादन क्या है :

(ख) क्या वहां के कर्मचारियों में अधिकारियों के कारण असंतोष व्याप्त है और उसका असर वर्कशाप की कार्यक्षमता पर पड़ रहा है जिसमें निरन्तर गिरावट आ रही है ;

(ग) यदि हां, तो इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की जा रही है, और

(घ) मजदूरों एवं कर्मचारियों में स्थानीय रेल प्रशासन के प्रति बढ़ते हुए असंतोष को देखते हुए क्या सरकार का विचार कोई जांच समिति गठित करने का है ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरैशी) : (क) पिछले वर्ष (अक्तूबर 1972 से अक्तूबर, 1973 तक) की अवधि के दौरान झांसी कारखाने के मासिक आधिक्य ओवरहाल तथा दूसरी नामित भारी मरम्मत के निष्पादन आंकड़े नीचे दिये गये हैं:—

महीना	कार्य निष्पादन (चौपहियों के हिसाब से)	
	सवारी डिब्बे	माल डिब्बे
अक्तूबर, 72	87	841.5
नवम्बर, 72	75	639.0
दिसम्बर, 72	97	1067.5
जनवरी, 73	77	1004.5
फरवरी, 73	79	1050.5
मार्च, 73	78	1235.5
अप्रैल, 73	80	997.5
मई, 73	78	1189.0
जून, 73	46	1202.0
जुलाई, 73	74	1156.0
अगस्त, 73	62	1058.5
सितम्बर, 73	36	1005.0
अक्तूबर, 73	59	758.5

(ख) जी नहीं ।

(ग) और

(घ) प्रश्न नहीं उठता ।

Confirmation of Non-Gazetted Officers in Railways

4317. SHRI P. A. SAMINATHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it has been decided to make 6,000 non-gazetted Officers permanent in the Railways;

(b) if so, the broad outlines of the proposals; and

(c) what other benefits are proposed to be given to them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). It has been decided that 40 per cent of the temporary non-gazetted posts in the Construction Department of the Railways should be made permanent to constitute a "Construction Reserve". This decision will cover also staff on Projects works costing more than Rs. 4 lakhs in the Open Line of the Railways.

It is estimated that in all about 6000 staff may get confirmed as a result of the above decision. In addition the Railway Administration are carrying out a sustained drive to convert as many temporary posts as possible into permanent ones to give benefits of confirmation to staff.

Power shortage in Gujarat

4318. SHRI PRABHUDAS PATEL:

SHRI P. M. MEHTA:

Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether there has been power shortage again in the Gujarat State from the 10th November, 1973;

(b) if so, the main reasons for this shortage;

(c) whether any Central team has been sent to Gujarat to examine the reasons for power shortage; and

(d) if so, the findings thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). On account of power shortage the Government of Gujarat has enforced a 8 per cent demand cut on H.T. industries, excluding continuous process industries, with effect from the 19th November, 1973. The shortage is due to increased agricultural demand for Rabi crops and reduced power output at the Tarapur atomic power station.

(c) No Central team was sent to Gujarat to study the reasons for power shortage as it is due to inadequate system capacity.

(d) Does not arise.

Water and drainage schemes for Gujarat

4319. SHRI PRABHUDAS PATEL:

SHRI P. M. MEHTA:

Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Gujarat Government have prepared schemes for the improvement of water and drainage in urban and rural areas;

(b) if so, the main features thereof; and

(c) whether Government propose to provide any financial assistance to the State of Gujarat in implementing the proposed scheme, if so, to what extent?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) to (c). The detailed State plans for the period 1974—79 have yet to be finalised. However, the Central Government provides Central assistance for the State plans, and water supply and drainage schemes would be included in the State plan.

Damage to Ukai Plant in Baroda

4320. SHRI PRABHUDAS PATEL: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Leakage in dam wall has caused damage to Ukai plant in Baroda;

(b) if so, the extent of damage caused to the power equipments there; and

(c) whether any enquiry has been made, and if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (PROF. SIDDHESHWAR PRASAD): (a) and (b). As a result of water leakage through the gate-shaft of generating Unit No. IV. some damage has been reported to the generating plant and auxiliary equipment of Unit No. I under erection. The extent of the damage is being assessed.

(c) Two officers of the Central Water and Power Commission were sent to the project site for inspection. It transpired that the leakage was due to the concrete in the gate-shaft of the Unit No. IV. Improvements to the gate-shaft have been suggested.

Discontentment among Railway Employees

4321. SHRI V. MAYAVAN:
SHRI P. M. MEHTA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a large discontentment among the Railway employees;

(b) if so, whether this discontentment among the Railway employees is resulting in deterioration in the working and efficiency of the Railways;

(c) whether this large scale discontentment in the Railways has resulted in large scale Railway accidents, late running of trains and decrease in the Railway revenues; and

(d) if so, to what extent?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (d). Of late a small section of staff of a few categories keep on causing agitations off and on and this causes setback in operation temporarily and since Railways constitute an integrated net-work, such agitations tend to reflect in the working and efficiency of the Railways and no doubt punctuality may be affected. It has, however, to be understood that the percentage of staff who take part in such agitations is very small taking into consideration the strength of Railway staff of about 14 lakhs. Such agitations and strikes have resulted in loss to Railways to the extent of Rs. 1.3 crores in 1970. So, 1.4 crores in 1971, Rs. 1.9 crores in 1972 and Rs. 1.4 crores in the first half of 1973. The major strike by the loco running staff in August, 1973 caused the Railways a loss of Rs. 8.75 crores. On the other hand, loss to Railways due to circumstances not created by the staff can be considerable, e.g., the loss was about Rs. 20 crores due to agitations in Andhra alone early this year.

Lock-out at the Trombay Fertilizer Factory

4322. SHRI V. MAYAVAN:
SHRI P. M. MEHTA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to to state:

(a) whether the Fertilizer Corporation of India had declared a lock-out at its unit at Trombay on the 20th October, 1973;

(b) if so, whether the main reason for the lock-out was the failure of

talks between the Management and the workers; and

(c) what was the point of dispute and the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) and (c) Lock-out had to be declared because the workers resorted to a tools down, pen down, sit-down strike and refused to perform their allotted duties with effect from 5-10-73. The striking workmen also prevented the officers and the supervisory staff from performing their normal duties. Safety of the plant was consequently endangered. The main dispute between the management and the union at the rate of 20 per cent besides an *ex gratia* payment equivalent to 21 per cent of their gross earnings on unitwise basis for the accounting year 1972-73. Settlement on the disputed issues was subsequently reached after negotiations between the management and the union and the lock-out was lifted on 24-10-1973.

Irrigation Schemes in Tamil Nadu

4323. SHRI V. MAYAVAN: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether all the schemes for irrigation prepared by the Tamil Nadu State has been approved by Government; and

(b) if so, the broad features of schemes prepared and how many of them have been accepted by the Union Government so far?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). 2 major and 12 medium schemes had been proposed by the Government of Tamil Nadu, out of which the following nine medium schemes have already been approved for implementation in the Fourth Plan:

Name of the Scheme	Estimated cost (in lakhs of Rupees)	Benefit (in hectares)
1. Parappalar Reservoir. . . .	79·50	0·008
2. Ponnaniar Reservoir . . .	98·94	0·008
3. Thandarai Anicut	87·86	0·03
4. Renovation of Nandan Channel .	72·11	0·002
5. Chinnar Reservior	147·13	0·02
6. Palar-Porandalar Reservior . .	500·00	0·06
7. Marudhandhi .	108·90	0·02
8. Karuppandhi .	220·00	0·19
9. Pillavukkal .	186·22	0·14

The following new schemes proposed by the State Government are pending for clearance:—

Name of Scheme	Category	Estimated Cost (Rs. in lakhs)	Benefits (in lakhs)
Modernisation of old Cauvery delta .	Major	4900	6·48
Kollai Malai	Medium	319	0·03
Varattupallam	Medium	60	0·007
Doddahala	Medium	91·89	0·008
Improvement to Periyar System	Major	730	0·13

This first four projects involved inter-State issues relating to Cauvery waters. The project for improvement to Periyar System was under correspondence with the State Government on the design and cost aspects. The finalised project estimates were received from the State Government in September, 1973 and are under examination.

Construction reserve for Railway Construction Projects

4324. SHRI P. M. MEHTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Ministry has decided to constitute a construction reserve out of temporary hands working on Railway construction projects;

(b) if so, how many employees will be benefited; and

(c) what other benefits to them have been announced by the Railway Board recently?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). It has been decided that 40 per cent of the temporary non-gazetted posts in the Construction Department of the Railways should be made permanent to constitute a "Construction Reserve". This decision will cover also staff on Projects works costing more than Rs. 4 lakhs in the Open Line of the Railways.

It is estimated that in all about 6000 staff may get confirmed as a result of the above decision.

In addition the Railway Administrations are carrying out a sustained drive to convert as many temporary posts as possible into permanent ones to give benefits of confirmation to staff.

Facilities for Oil Traffic at Kandla Port

4325. SHRI P. M. MEHTA:

SHRI PRABHUDAS PATEL:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether oil traffic at Kandla has been steadily increasing;

(b) whether due to increase in oil traffic, facilities available there need improvement; and

(c) if so, whether his Ministry has taken up this issue with the Ministry of Shipping and Transport?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). Yes, Sir.

News Captioned 'Arab Oil Cut to Continue'

4326. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND SCHEMICALS be pleased to state:

(a) whether Government's attention has been invited to the reported statement of the organisation of Arab Oil exporting countries that member countries would continue to restrict oil production until the International Community decides to take decisive and effective measures to induce Israel to withdraw from Arab lands;

(b) whether India has received the formal communication of restoration of 10 p.c. cut in crude oil to India; and

(c) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) and (c). The Organisation of Arab Petroleum Exporting Countries had earlier called for a minimum cut of 5 per cent plus the embargo on supplies to the United States to which Holland was subsequently added. This resulted in a situation where, while some countries had effected a 20 to 30 per cent cut back, others had only implemented 12 to 13 per cent cut back. At their second Ministerial Council meeting of OAPEC held in Kuwait during the first week of November 1973, they decided, *inter alia*, that "the total reduction in the production of every Arab State implementing the first decision shall be 25 per cent of September production, including deducted quantities resulting from the embargo on oil deliveries to the United States and Holland. Reduction shall continue after that in December to be 5 per cent of November's produtcion provided deliveries to friendly countries are not affected."

Iraq and Saudi Arabia are the only two Arab countries which supply crude oil to India at present. Out of these, it was only Saudi Arabia that had imposed cuts in oil supplies. These cuts have, however, since been restored. The Government of Saudi Arabia have, however, evolved a formula under which the quota of supplies of crude oil to the various "friendly" countries is determined in view of an overall cut back in production. India, like other friendly countires, is allotted crude according to this formula.

World will be without Petrol in 80 years

4327. SHRI NAWAL KISHORE SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government's attention has been invited to the reported views of a Scientist of Aston University in Britain, Dr. J. A. Pope, that at the present rate of use, petrol resources already known would last 31 years;

(b) if so, the reaction of Government thereto; and

(c) if so, whether there is any proposal under the consideration of Government to convert auto-vehicles into atomic vehicles to face the crisis of petrol in the near future?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) A number of measures, long-term as well as short-term, are under formulation to meet the situation.

(c) Break-through in technology has not yet reached a stage where it may be possible to operate road vehicles on atomic energy in the next few years at-least.

Working of Power Plant at Korba in M.P.

4328. SHRI E. V. VIKHE PATIL: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the 30 MW unit at Korba, Madhya Pradesh is working to its full capacity;

(b) if not, the reasons therefor; and

(c) the total amount of electricity generated by that unit per day and actual power transmitted daily?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) to (c). Of the three sets of 30 MW capacity each installed at the Korba Power Station, one set is under maintenance shut down and the remaining two are generating about 1.1 million units a day and this power is transmitted to the State Grid.

Amendment of Electricity Supply Act

4329. SHRI E. V. VIKHE PATIL: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government have received any suggestion for amending the Electricity Supply Act so that all the Electricity Boards become self-sufficient financially; and

(b) if so, the action taken or proposed to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) and (b). Suggestions have been received from financing institutions that some provisions of the Electricity (Supply) Act, 1948 may be amended for improving the financial position of the State Electricity Boards set up under the Act. An Expert Committee has accordingly been constituted to examine the provisions of the Electricity (Supply) Act relating to finance, accounts and audit of the Electricity Boards and make recommendations in regard to amendments. The Report of the Committee is awaited.

Supply of Coal to Thermal Power Stations

4330. SHRI E. V. VIKHE PATIL: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether all the thermal power stations in the public sector have reregularly been getting coal according to their needs from 1st January, 1973 till date;

(b) if so, the periods during which each power station remained short of coal supplies and the quantity by which it was short supply; and

(c) the reasons for short supply and the specific efforts made by each power station to obtain coal according to its need and with what result?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) No, Sir.

(b) and (c). Due to shortfall of power generation from Hydro and Atomic Stations, the thermal power stations were called upon to generate maximum energy possible during the period from October, 1972 to June, 1973. This resulted in a sharp increase in coal requirements of the thermal power stations.

The thermal power stations could have given a still higher energy output during periods of acute power shortage if more coal could have been made available to them when needed.

The collieries and the Railways had considerable difficulties in coal production and transportation to the power stations on this larger scale. A number of power stations had to pass through anxious times in various months because regular coal despatches could not be maintained.

In order to meet this situation, the concerned Departments of the Government of India have been pooling their resources for adequate coal supply to the power stations. The Standing Linkage Committee set up in the Department of Mines, are allocating the coal based on availability of coal and transport capacity. A Control Room set up in the Railway Board, is reviewing the daily supply and stocks of coal to different power stations and making alternative arrangements where required. A Joint Cell has also been set up at Calcutta to review the loading and allotment of wagons for movement of coal to thermal power stations.

Irrigation and Power Projects of Kerala included in Fourth Plan

4331. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of

IRRIGATION AND POWER be pleased to state:

(a) the various irrigation and power projects in the State of Kerala that were proposed to be implemented during the Fourth Plan period, the number of projects actually taken in hand for execution and the amount spent in the first four years of the Plan period; and

(b) the additional allocation asked by the State Government of Kerala in the execution of projects, work on which has already been delayed and the reaction of the Central Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI SIDDHESHWAR PRASAD): (a) Apart from continuing the work on seven major irrigation projects and two power projects spilling over from the earlier plans, no new irrigation or power projects had been proposed to be taken for implementation during the Fourth Plan period. The outlay on the continuing irrigation projects during the first four years of the Fourth Plan was Rs. 19.37 crores, while the outlay on the Idikki and Kuttiadi power projects was Rs. 65.89 crores. The silent valley and Edamalayar power projects were also sanctioned during the course of the Fourth Plan.

(b) Idikki Project is being considered for some additional Central assistance in the current year for expediting its construction. The State Government had requested for an additional assistance of Rs. 3 crores during 1973-74 for the irrigation projects, but on account of the financial constraints this year, it was not possible to provide any such speical assistance.

Expansion on Cochin Oil Refinery

4332. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have decided to expand the Cochin Oil Refinery in the State of Kerala;

(b) if so, what will be the total cost of expenditure involved; and

(c) when the expansion programme is likely to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). The expansion programme of Cochin Refinery Limited envisaging the increase in refining capacity from 2.5 Million Tonnes to 3.3 Million Tonnes per annum taken up in March, 1971 at an estimated cost of Rs. 5.12 Crores was completed and commissioned in September, 1973. There is no proposal presently under consideration to further expand the capacity of this Refinery.

Restriction on bales of Handloom Cloth booked from Panipat and Palkhua (Northern Railway)

4333. SHRI MAHADEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the bales of handloom cloth booked from Panipat and Palkhua (Northern Railway) to different Stations are being received regularly at Delhi Main Station and despatched by Mail/Express trains against restrictions and out of priority;

(b) if so, the reasons therefor; and

(c) the action taken against the persons responsible?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Handloom bales booked from Panipat and Palkhua stations are being received at Delhi Main Station and cleared therefrom by Mail and Express trains. This is not against rules and there is no restriction on clearance of handloom bales by Mail and Express trains from Delhi Main.

(b) and (c). Do not arise.

Steps proposed to be taken to provide Retiring Room and Dormitory at the Baidyanath Dham (Deoghar) Railway Station

4334. SHRI R. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that Baidyanath Dham (Deoghar) Railway Station has great historic and religious importance and lakhs of pilgrims visit this place round the year;

(b) whether the sanitary conditions and accommodations in the waiting halls there are far from satisfactory and there is no retiring room or dormitory at the said Railway station; and

(c) if so, the steps proposed to be taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) Sanitation at Baidyanath Dham railway station is maintained at a satisfactory level for which exclusive safaiwalas are provided.

(c) Accommodation in waiting hall is also adequate; in addition the platform is covered. One waiting room for upper class passengers also exists. There is no dormitory but two double bedded Retiring Rooms have been provided.

Medium of Examination of Chartered Accountants

4335. SHRI NAWAL KISHORE SHARMA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether medium of examination of the Chartered Accountants and that of the Pre-entrance test is English;

(b) whether this has adversely affected the chances of the students from the Hindi-speaking States of Northern Zone where the medium is Hindi; and

(c) if so, what remedial measures will be taken to see that the candidates from the Hindi region do not suffer because of the English medium of examination adopted by the Institute of Chartered Accountants?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Yes, Sir.

(b) No such complaint/representation has so far been received either in the Department of Company Affairs or in the Institute of Chartered Accountants of India from any State Government or the students of the Hindi-speaking States of Northern Zone; and

(c) Does not arise.

Availability of Hindi All India Railway Time Table at Railway Book Stalls

4336. SHRI S. C. SAMANTA: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons why the Hindi All India Railway Time Table is not available at various bookstalls and other places for sale simultaneously along with its English version; and

(b) whether in future it is likely to be available simultaneously?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). All India Railway Hindi Time Table is published by a private organisation *viz.* "Railway Time Table

Office, Varanasi", and they have been asked to ensure publication of this time table in time alongwith the English Time Table published by the Railway Board.

सिंचाई और विद्युत मंत्रालय में नियुक्त की गई राजभाषा क्रियान्विति समिति

4337. **श्री यमुना प्रसाद मंडल** : क्या सिंचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय तथा इसके विभागों में नियुक्त की गई राजभाषा क्रियान्विति समितियो की संख्या कितनी है;

(ख) उनकी कितनी बठकें हुई तथा नमें किये गये निर्णयों पर क्या कार्यवाही की गई ; और

(ग) इन समितियों की नियमित रूप से बैठकें सुनिश्चित करने तथा उनके निर्णयों को क्रियान्वित करने के लिए क्या प्रबन्ध किये गये हैं ?

सिंचाई और विद्युत मंत्रालय में उप-मंत्री (श्री सिद्धेश्वर प्रसाद): (क) से (ग). मंत्रालय तथा इसके सम्बद्ध और अधीनस्थ कार्यालयों में राजभाषा कार्यान्वयन समितियों के गठन सम्बन्धी अपेक्षित सूचना तथा अब तक हुई उनकी बैठकों की संख्या नीचे दी जाती है :—

संगठन का नाम	राजभाषा कार्यान्वयन समिति की संख्या	अब तक हुई बैठकों की संख्या
1. मंत्रालय (खास)	1	10
2. केन्द्रीय जल और विद्युत् आ ोग	1	2
3. फरक्का बराज परियोजना	1	(इस समिति का ग न, अगस्त 1973 में किया गया था)।
4. केन्द्रीय जल और विद्युत् अनुसंधान केन्द्र, पूना	1	(इस समिति का गठन सितम्बर, 1973 में किया गया था)

संक्षेप में इन बैठकों में लिए गए निर्णयों की रोशनी में हिन्दी भाषी राज्यों के साथ मूल रूप से पत्राचार हिन्दी में करने के पर्याप्त प्रबन्ध किये गये हैं । इसके अतिरिक्त हिन्दी के टाइपराइटरों की व्यवस्था और गृह मंत्रालय की हिन्दी प्रशिक्षण स्कीम के अन्तर्गत विभिन्न प्रशिक्षण पाठ्यचर्या के लिए स्टाफ को भेजा जाता है । अंग्रेजी की त्रैमासिक पत्रिका को भी जो कि सिंचाई और विद्युत सैक्टर में किये गये विकास की परिचायिायिका ह, हिन्दी में भी निकाला जा रहा है ।

बैठकें, बहुधा, कार्य की आवश्यकता के अनुसार की जाती ह । पहले की बैठकों में लिये गये निर्ण ों पर अनुगामी कायवाह सम्बन्ध में स्थिति की पुनरीक्षण समितियों को बाद की बैठकों में किया जाता है ।

Survey for Petrol and Gas in Rajasthan

4338. SHRI SHIVNATH SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a survey has been made in any part of Rajasthan specially Barmar for the availability of petrol and natural gas, and if so, with what result; and

(b) whether the programme will continue?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Geological survey of parts of the Jaisalmer, Bikaner, Barmer, Nagaur, Jodhpur and Chittorgarh districts of Rajasthan had been carried out in connection with exploration for oil and natural gas. Also, geophysical surveys and exploration drilling operations have been carried out in the western part of the Jaisalmer District.

The surveys led to the discovery of favourable structures in the Kharotar, Bakhri Tibba, Shumarwali Talai, Vikharan Nay, Manhera Tibba and certain other areas in the western part of Jaisalmer District. The structures in the Kharotar Bakhri Tibba, Shumarwali Talai and Vikharan Nay areas have been tested by drilling and found dry. A structure in the Manhera Tibba area has also been tested by drilling and found gas bearing but the gas find is not of commercial interest. The other structures are yet to be tested by drilling.

(b) Exploration work in the western part of the Jaisalmer District is being continued.

Posting of Staff at Stations of Western Railways for counting tickets in stock

4340. SHRI ONKARLAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of tickets which remain in stock every time at Ajmer, Jaipur, Agra Fort, Kota, Ratlam, Baroda, Bombay Central Mehsana, Ahmedabad, Rajkot and Bhavnagarpara stations of the Western Railways;

(b) whether according to the provisions of the Station Accounts Manual, the tickets can only be stored by the Booking clerks concerned, after being counted in full;

(c) if so, the total number of staff required for counting the tickets as per the prescribed yardstick and the number of staff provided at the Stations mentioned in part (a) above; and

(d) the deficiency of staff strength, if any, and the reasons therefor and action taken by Government to recoupe the deficiency?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

Applicability of Yardstick for Commercial Clerks on North Eastern Railway and Northeast Frontier Railway

4341. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether North Eastern Railway Headquarters office circulated yardstick for the Commercial Clerks working over North Eastern Railway *vide* their letter No. E/T/146/11 of 28th November, 1956;

(b) if so, the salient features thereof;

(c) whether the yardstick referred to in part (a) above was also applicable to the Northeast Frontier Railway which was a part of North Eastern Railway at that time and whether the same yardstick is still applicable or some changes have been made therein; and

(d) in either of the cases referred to in part (a) above the main reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (d). Information is being collected and will be laid on the Table of the Sabha.

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12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED BAN IMPOSED BY NEPAL GOVERNMENT ON IMPORT-EXPORT TRANSACTIONS BEING CARRIED ON IN NEPAL BY FOREIGN COMPANIES

श्री शशि भूषण (दक्षिण दिल्ली): अध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर वाणिज्य मंत्री का ध्यान दिलाता हूं और प्रार्थना करता हूं कि वह इस बारे में एक वक्तव्य दें :

नेपाल सरकार द्वारा सभी विदेशी कम्पनियों पर, जिन में से अधिकांश में भारतीय हित अन्तर्निहित हैं, नेपाल में आयात-निर्यात सम्बन्धी व्यापार करने पर, प्रतिबन्ध लगाये जाने का समाचार।

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): Mr. Speaker, Sir, the Government of India had seen press reports of a Communique stated to have been issued by the Ministry of Commerce and Industry of Nepal according to which

"Exporters of finished jute products to countries other than the ones already importing the same from Nepal will henceforth be allowed an additional five per cent bonus in the form of incentives. But the firms run by the foreigners or in collaboration with them will not be permitted to export and import goods to and from Nepal.

The new steps are intended for making the trade diversification policy still more effective as well as to encourage the foreign investors to go into industrial ventures. The underlying purpose for not permitting foreign firms based in Nepal to export jute is to make use of their technical expertise and investment for the country's industrialisation. The principle purpose of the new arrangement is to render the policies and practice of trade diversification, import of development materials and other consumer goods more effective and practical. Also projected is the regulation of distribution system in such a way that the general public are able to procure or purchase essential commodities at reasonable rates".

Our Embassy in Kathmandu had asked for the official version of the statement of the Ministry of Commerce and Industry and sought clarification on the applicability of these regulations to Indian Nationals in the territory of Nepal.

It is my regret that due to difficulties in communications these could not be obtained in time for me to make a statement earlier.

With your permission, Sir, I now place on the Table of the House a copy of the official press release of His Majesty's Government of Nepal. [*Placed in Library. See* No. LT-5972/73.]

It has been stated that raw jute and jute cuttings will be exported only through the National Trading Ltd.

[Prof. D. P. Chattopadhyaya]

These would represent about 50 per cent of the total exports from Nepal. It has also been stated that barter trade with overseas countries is reserved as heretofore for the public sector. Wrile exact figures are not available it is believed that these would form a significant proportion of the balance of exports.

It has been pointed out by the Ministry of Commerce and Industry of Nepal that the prohibition on firms run by foreigners or in collaboration with the foreigners is not confined to jute goods but extends to the export and import of all goods.

His Majesty's Government of Nepal have explained to our Charged' Affaires in Kathmandu that the restrictions do not apply to imports from and exports to India and that Indian nationals or firms taking part in trade between India and Nepal are not affected. It has also been explained that if a firm is trading both with India and with third countries, its trade with India will not be affected by the new regulations.

It is the contention of His Majesty's Government of Nepal that the restriction on imports from and exports to third countries is not in contravention of Article 7 of the Treaty of Peace and Friendship. It is also their contention that while it is the objective to better utilize the technical know how and resources of foreigners in the field of industry instead of in trade, the new regulations would also curb deflection of third country goods to India through Nepal and thereby remove a source of irritation in relations between India and Nepal.

The new regulations are being examined by the Government of India in the light of the clarifications given by His Majesty's Government of Nepal. The Government of India will have further consultations with His Majesty's Government of Nepal. It is the view of the Government of India that while pursuing the common objective of healthy growth of trade and mutual cooperation between the two countries, the two Governments grant on a reciprocal basis to the nationals of one country in the territories of the other the same privileges in the matter of participation in trade and commerce.

श्री शशि भूषण : अध्यक्ष महोदय, नेपाल के साथ हमारे बड़े अच्छे मित्रता के सम्बन्ध हैं। इतने अच्छे मित्रता के सम्बन्ध हैं जो दुनिया के दूसरे देश भी उस को एक उदाहरण मान सकते हैं, और इसी मित्रता की स्पर्धा में नेपाल का पडौसी देश चीन भी उन से बहुत मित्रता दर्शाने का प्रयत्न कर रहा है: इस में कोई गलत बात भी नहीं होती, मित्रता तो सब देशों के साथ होनी चाहिए लेकिन चीन के साथ मित्रता के साथ साथ तिब्बत और भारत की सीमा का अधिकाधिक ध्यान रखना चाहिये हमारे और नेपाल के इतने अटूट सम्बन्ध हैं कि नेपाल सरकार द्वारा कोई कदम उठाया जाता है तो हिन्दुस्तान के दिल पर ठेस लगती है, और जो उन्होंने यह विनियमन किया तो हमारी जो 1950 की पुरानी संधि थी उस के मुताबिक अगर वह सिर्फ भारत सरकार से थोड़ा सलाह मश्विरा कर लेते या हमारे दूतावास से सलाह मश्विरा कर लेते तो मुनासिब होता। और मुझे पता नहीं कि उन्हों ने नया विनियमन लागू करने पर कुछ इस ढंग का इशारा भारतीय दूतावास को दिया कि नहीं ? यह मैं सरकार से जानना चाहता हूं।

अध्यक्ष महोदय, जो भारत के व्यापारी वहां हैं उन में बहुत से ऐसे हैं जो 150 साल से व्यापार कर रहे हैं और आजादी के बाद 50 फर्में ऐसी हैं जो हिन्दुस्तान में भी और नैपाल में भी इन्कम टैक्स देती हैं, और हमारे दूतावास की सिफारिश के मुताबिक उन को वहां एक्सपोर्टर के तौर पर रजिस्टर किया गया है। कुछ फर्में, लगभग 25, 30, ऐसी हैं जो हिन्दुस्तानी व्यापारी और नेपाली व्यापारी दोनों मिल कर पार्टनरशिप में चलाते हैं। इन सब पर इस का क्या प्रभाव पड़ेगा, यह मैं जानना चाहता हूं। लेकिन एक बात जरूर है कि जो नैपाल ट्रेडिंग संस्था है, जो

वहां की राष्ट्रीय संस्था है, जैसी कि हमारे यहां एस० टी० सी० है, तो क्या आप एस० टी० सी० के द्वारा उन के साथ अधिक से अधिक सम्बन्ध बना कर यहां जो क्षति हुई है हमारे व्यापारियों को उसे पूरा कराने का प्रयत्न करेंगे।

साथ ही साथ मैं यह भी जानना चाहूंगा कि नेपाल में जो लोग वहां मौजूद हैं उन के साथ भी हमारे दूतावास ने वहां के व्यापारियों की संस्थाओं से बातचीत की है, और नेपाल सरकार तथा व्यापारियों के बीच में बातचीत कराने के सिलसिले में उन्होंने कोई कदम उठाया है।

साथ ही मैं यह भी जानना चाहता हूं कि जो भी विनियमन वहां लागू किये गये हैं, जो मुनासिब हैं, लेकिन ऐसे समय पर लागू किये गये हैं जब नैपाल के नरेश की यात्रा चीन को होने वाली है। तो इस से थोड़ा संदेह लोगों को यह है कि चीन कुछ नेपाल के अन्दर इस बात का प्रयत्न करता है कि भारत और नेपाल के सम्बन्ध अच्छे न हों। ऐसी हालत में, मैं भी इस पर कोई विश्वास नहीं करता और पिछली बार मंत्री जी ने राज्य सभा में इस का खंडन किया है, लेकिन इस से संदेह जरूर होता है कि नैपाल में कुछ विदेशी ताकतें भारत और नैपाल की अगाढ़ मित्रता को देख कर रश्क करती हैं और प्रयत्न करती हैं कि यह सम्बन्ध किसी तरह बिगड़ें। लेकिन हम हमेशा इस बात का प्रयत्न करते रहे हैं कि नेपाल से मित्रता हो। इसलिये मैं मंत्री जी से जानना चाहता हूं कि हमारे व्यापारिक सम्बन्ध और आगे बढ़ें और नेपाल का ज्यादा से ज्यादा इंडस्ट्रियलाइजेशन हो उस सम्बन्ध में आप का विभाग क्या कदम उठाने जा रहा है।

PROF. D. P. CHATTOPADHYAYA: Two or three questions have been raised by the hon. member. The first was whether our trade relations with Nepal were likely to be affected by the recent decisions of His Majesty's Government. It is too early to give a very definite answer to the question without looking into the details and further implications of the view taken by the Government of Nepal.

The other question was whether we envisaged any sort of extended trade relations between STC and National Trading Limited. This may be taken up when the next meeting of the Joint Review Committee takes place sometime late this month.

As to the possibility of China's influence underlying this decision of His Majesty's Government, I can only say there is no reason to believe it because this is a decision of HMG taken on their own, may be having their own understanding of the requirement of their national and industrial necessity. So I do not think there is any ground for speculating in that unwarranted direction.

श्री विभूति मिश्र (मोतिहारी) : अध्यक्ष महोदय, नेपाल के साथ हमारे बहुत पुराने सांस्कृतिक, सामाजिक और ऐतिहासिक सम्बन्ध है और नेपाल तथा भारत को अलग नहीं किया जा सकता है। यद्यपि ये दो देश हैं, लेकिन हमारे पारस्परिक सम्बन्ध बहुत घनिष्ठ हैं। हमारे देशों की सरहद किसी नदी या पहाड़ के आधार पर नहीं बनी हुई है, बल्कि वहां स्थिति यह है कि यदि किसी का घर इधर है, तो वह काम उधर करता है और सरहद के दोनों ओर आना-जाना, खाना-पीना निर्विघन रूप से होता है। आज नेपाल में जिस तरह की सरकार है, उस को बनाने में हमारी सरकार और पुरानी जेनीरेशन के राजनैतिक कार्यकर्ताओं का भी कान्ट्रीब्यूशन था।

सरकार की तरफ से जो बयान दिया गया है, वह बड़ा नपातुला है, सरकार ने इस में बड़ी समझदारी दिखाई है और मैं

(श्री विभूति मिश्र)

इस की भूरि- भूरि प्रशंसा करता हूं। लेकिन अखबारों में यह समाचार प्रकाशित हुआ है कि नेपाल में हमारे शर्ज-द-फेयर की चार दिन तक परिश्रम करने के बाद वहां के कामर्स और इंडस्ट्री मिनिस्टर से मुलाकात हो पाई। इस से यह पता चलता है कि वहां पर कुछ खामी है और वहां पर हमारे खिलाफ कुछ कार्यवाही हो रही थी। नेपाल दो बड़े देशों के बीच में स्थित है और चारों तरफ के देश वहां पर अपना प्रभुत्व जमाना चाहते हैं। मंत्री महोदय ने श्री शशि भूषण के प्रश्न के उत्तर में कहा है कि यह विश्वास करने का कोई कारण नहीं है कि कुछ अन्य देश भारत और नेपाल के पारस्परिक सम्बन्धों को बिगाड़ने का प्रयत्न कर रहे हैं। लेकिन मैं समझता हूं कि इस के पीछे कोई बात अवश्य है। क्या कारण है कि नेपाल के किंग के चाइना जाने से कुछ दिन पहले यह घोषणा की गई ? जब चाणक्य ने एक चींटी को एक दाना ले जाते हुए देखा, तो उस के दिमाग में आया कि यहां गल्ला जरूर है। इसी तरह इस मामले में भी कुछ सन्देह का कारण अवश्य है और इस दृष्टि से मंत्री महोदय का जबाब असंतोषजनक है।

जहां तक भारत और नेपाल के बीच व्यापार का सम्बन्ध है, मुझे ऐसा लगता है कि अन्य देशों का सामान नेपाल में जायेगा और दोनों देशों के बीच कोई नैचरल बाउंडरी न होने के कारण स्मगल हो कर भारत में आयेगा, जैसे कुछ समय पहले स्टेनलेस स्टील का सामान नेपाल से हमारे देश में आता था और हमारे देश की अर्थ-व्यवस्था को नुक्सान होता था। बाद में नेपाल के साथ हमारी जो ट्रीटी हुई, जिस के लिए मैं श्री एल० एन० मिश्र को धन्यावद देता हूं, उस से स्थिति में कुछ सुधार हुआ। लेकिन इस बयान से मालूम होता है कि हमारे व्यापार को जरूर नुक्सान पहुंचेगा, क्योंकि हमारे यहां के व्यापारी वहां रहते हैं और वहां के व्यापारी यहां रहते हैं।

मंत्री महोदय ने कहा है कि वह इस मामले में जांच करेंगे, और अगर आवश्यक हुआ, तो इस बारे में नेपाल सरकार से बातचीत की जायेगी और तब सरकार किसी निष्कर्ष पर पहुंचेगी। यद्यपि हम लोग कामर्स डिपार्टमेंट के अधिकारियों की तरह विशेषज्ञ नहीं हैं लेकिन हम को लगता है कि इस से हमारे व्यापार को नुक्सान होगा।

मैं चाहता हू कि विदेश मंत्री, सरदार स्वर्ण सिंह, जो बड़े निपुण आदमी हैं और हमारे आज के चाणक्य हैं, इस बारे में नेपाल सरकार से बात करें और इस बात का पता लगायें कि इस घोषणा से हमारे व्यापार को क्षति होगी या नहीं और अगर होगी, तो किस हद तक। मैं इस बारे में एक उदाहरण देना चाहता हूं। हमारे यहां से जूट स्मगल हो कर नेपाल में जाता है। नेपाल सरकार ने जूट पर 5 परसेंट बोनस दिया है। इस तरह नेपाल का जूट सस्ता पड़ेगा और हमारा जूट महगा पड़ेगा।

नेपाल के साथ जो ट्रीटी हुई है,उस के अनुसार दोनों देशों में बना हुआ सामान एक दूसरे के यहां भेजा जा सकेगा और उस पर डयूटी नहीं लगाई जायेगी। लेकिन अब नेपाल दूसरे देशों के साथ भी व्यापारिक सम्बन्ध स्थापित कर रहा है। इस बात की सम्भावना है कि थर्ड कन्ट्री का सामान नेपाल जायेगा और उस पर नेपाल की मुहर लगा कर यहां भेज दिया जायेगा। तब हम क्या करेंगे ? हमारी लाचारी यह है कि उस सामान पर नेपाल की मुहर होगी, भले ही वह किसी अन्य देश का सामान हो। मैं यह जानना चाहता हूं कि क्या सरकार इस सम्बन्ध में नेपाल सरकार से बातचीत करेगी; यदि हां, तो

कब तक । जो सामान अन्य देशों से नेपाल आयेगा, क्या उस की निगरानी के लिए भारत का कोई अधिकारी रहेगा ? ट्रीटी में यह तय किया गया है कि हम उस सामान को देख नहीं सकते हैं । मैं यह भी जानना चाहता हूं कि इस बारे में एग्जामिनेशन करने के बाद सरकार को कब तक यह पता लग पायेगा कि नेपाल सरकार की इस घोषणा का हमारे व्यापार पर क्या असर होने जा रहा है ।

PROF. D. P. CHATTOPADHYAYA: The hon. Member who comes from a region which is very close to Nepal has very rightly pointed out—as he knows—the close cultural and historical relations between our two countries.

This proximity of these two friendly countries has its own problems, to some of which he has referred, namely, some unwholesome practice of trade indulged in by some unscrupulous elements and thereby creating some avoidable irritants in our relations. We are seized of the problems. The customs arrangements have been strengthened; the vigilance squad has also been strengthened. We also hold periodical meetings to look into the specific difficulties and remove them.

About the breakdown of communications, I can only say that it is a mechanical failure. Not that our people in the Khatmandu Embassy were not vigilant.

श्री विभूति मिश्र : 7 तारीख़ के सर्चलाइट में लिखा है कि नेपाल में हमारे शाज-द-फ़ेयर को नेपाल के सम्बद्ध मंत्री के साथ मुलाकात करने में चार दिन लगे ।

PROF. D. P. CHATTOPADHYAYA: Sir, actually, there was a breakdown of communications. So, we could not get fuller information and, as you will kindly appreciate, in such an important and sensitive matter, without having the necessary clarification, it would not be perhaps correct on our part to submit some information before this august House.

Our problems, which are not really problems—I might say they are issues—about trade and transit have been well taken care of; that is in the treaty of trade and transit negotiated and concluded by Mishraji sitting here.

There are some very good provisions in that treaty which are being observed to facilitate the trade of Nepal with India and other countries. So, so far as that part is concerned, we think that the provisions that are there are good enough, both substantive and procedural, to look after the problems which might crop up periodically between these two countries.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, भारत और नेपाल के बीच में दोस्ताना रिश्ता रहे और बढ़े इस का मैं हमेशा समर्थक रहा हूं और मैं यह चाहता हूं कि नेपाल के सच्चे औद्योगीकरण में भारत पूरी मदद दे । लेकिन कुछ भारतीय तत्व भारत और नेपाल के बीच में जो सन्धियां हुई हैं उन में जो कमियां थीं उनका फायदा उठा कर जो दोनों देशों को लूटने का काम करते थे उस का मैं ने हमेशा विरोध किया है ।

जहां तक अपने वैदेशिक व्यापार के राष्ट्रीयकरण का सवाल है नेपाल की सार्वभौमिकता को हम लोग मानते हैं । इसलिए यदि वे अपने वैदेशिक व्यापार का राष्ट्रीयकरण करना चाहते हैं जो तीसरे देशों के साथ होता है तो उस पर एतराज करने का प्रश्न उत्पन्न नहीं होना चाहिए, यह मेरी राय है । अगर उस में कुछ भारतीय

[श्री मधु लिमये :]

व्यापारियों का नुकसान भी होता है तो उस में हम को दखल देने की जरूरत नहीं है। लेकिन जैसा कि नेपाल की सरकार ने कहा है कि जहां उन्होंने तीसरे देशों के साथ जो व्यापार होता है उसका कुछ सरकारीकरण करने का इस में प्रयास किया है वहां नेपाल और भारत के बीच में जो आयात-निर्यात व्यापार होता है उस पर इस का असर नहीं पड़ने वाला है, यह भी कहा है। इसी बात को हमें देखना है। बाकी जो तीसरे देशों के साथ उन का व्यापार है उस में पड़ने की जरूरत नहीं है। नेपाल की सरकार ने यह कहा है, एक वाक्य मैं आप के सामने रखना चाहता हूं :

"It is also their (Nepalese Government's) contention that while it is the objective to better utilise the technical know-how and resources of foreigners in the field of industry instead of in trade, the new regulations would also curb deflection of third country goods to India through Nepal and thereby remove a source of irritation in relations between India an Nepal."

पहले बड़े पैमाने पर व्यापार की दिशा में फेर-बदल होता था, डीफ्लेक्शन आफ ट्रेड होता था। एक तो भारत में जो जूट का सामान बनता था कस्टम के लोग दूसरों के साथ मिल कर भारतीय माल पर नेपाल का सिक्का लगा देते थे और बिना एक्सपोर्ट डयूटी दिए हमारे बन्दरगाहों से भारतीय माल चला जाता था। बम्बई में भी कई आफिसर आकर सिक्का लगाते थे और कलकत्ता में तो यह होता ही था। इस की जानकारी जब दिनेश सिंह जी व्यापार मंत्री थे उसी जमाने से मैं सरकार को देता आया हूं। दूसरा ट्रेड डी-फ्लेक्शन यह होता था कि नेपाल में तीसरे देशों का जो सामान आयातित किया जाता था स्टेनलेस स्टील, शराब और सिंथेटिक धागा और कपड़ा जो वास्तव में जापान में बनता है उस के बारे में भी उस समय मैं ने श्री बलि राम भगत को बताया था कि वह भारत में आ रहा है। मैं यह जानना चाहता हूं कि जो नया करार किया गया है उस का प्रोटोकॉल आप देख लीजिएगा, उस में आर्टिकिल 4 के संबंध में यह खुलासा किया है :

"The Government of India will provide access to Indian market free of basic customs duty and quantitative restriction generally for all manufactured goods which contained not less than 90 per cent of Nepalese materials or Nepalese and Indian materials."

तो इस में एक वाक्य है नई सन्धि में कि जो नेपाल के कच्चे माल से बना हुआ सामान है उस पर डयूटी नहीं लगेगी। लेकिन जो माल तीसरे देशों से आता है और "मेड इन नेपाल" का सिक्का जिस पर लगाता है वह अब नहीं चलेगा।

इस में आगे यह भी कहा गया था :

"In the case of other manufactured articles in which the value of Nepalese material and labour added in Nepal is at least 50 per cent of the ex-factory price, the Government of Nepal will decide in each case the nature and extent of the access, including tariff preferences having regard to all relevant factors."

अब मंत्री महोदय से मैं जानना चाहता हूं कि पुराने जिन सामानों को ले कर एक विवाद का विषय खड़ा हो गया था, स्टेनलेस स्टील आता था, थोड़ा मोड़ दिया जाता था और फिनिश्ड गुडस कर के आता था सिंथेटिक कपड़ा और धागा आते थे, शराब आती थी, इस के बारे में बहुत बड़ा प्रीमियम उन लोगों को मिलता था।

अब क्योंकि खुद नेपाल की सरकार ने ट्रेड-डीस्लेक्शन को रोकने की बात की है तो क्या मंत्री महोदय इस बात का खुलासा करने की कोशिश करेंगे कि इस वक्त क्या क्या सामान आता है, जो पहिले आता था उस में से कितना रोका गया । इस वक्त रुपये में बताएं कितना आ रहा है क्योंकि 1971 के बाद दो साल तो हो गए हैं । अब आप एक मूल्यांकन रिव्यू सदन के सामने रख सकते हैं ।

जहां तक नेपाल के औद्योगीकरण का सवाल है मेरी अपनी राय है कि हम लोगों को इस बारे में पुनर्विचार करना चाहिए । आप के यहां बिजली की बहुत कमी है । यह जो कोयले का मामला है, रेल का मामला है और तेल का मामला है, जिस के "महान" मंत्री यहां बैठे हुए हैं, वह तो आप जानते ही हैं तो मेरा कहना यह है कि नेपाल के पास जल-शक्ति विपुल है, आप को बिजली की जरूरत है। अगर आप चाहते हैं कि नेपाल का औद्योगीकरण तेजी से हो तो क्या सरकार नये सिरे से नेपाल के साथ इस विषय पर विचार करेगी ? तो जल-शक्ति का विद्युत शक्ति में परिवतन करने के लिए नई योजनाएं बनाई जांय, कुछ हिस्सा नेपाल अपने लिए रखें, बाकी भारत को बेचें ताकि नेपाल को पैसा भी मिले और बिजली की जो बहुत बड़ी कमी हमारे यहां है, खास कर के उत्तरी भारत में, उस की आंशिक पूर्ति के लिए रास्ता खुल जाये ? मंत्री महोदय मेरे इन दो तीन मुद्दों को जिन को मैं ने संक्षेप में रखा है स्पष्ट करने का कष्ट करें ।

PROF. D. P. CHATTOPADHYAYA: We fully share the hon. member's feeling that His Majesty's Government has every right to regulate and if necessary nationalise its trade and industry in the interest of their country. There is no question about it because any sovereign country has its own right to regulate and nationalise its trade when it thinks it necessary. It is also true that in the clarification obtained and also in the previous documents between these two counies, it has been stipulated that both the countries will take every possible step to see that third country's goods do not find entry into the other country causing inconvenience and loss to the exchequer of the country concerned. I have already referred to that unwholesome practice. The customs arrangements have been strengthened and the vigilance squads have also been strengthened. The hon. member asked whether the quantum of deflection could be precisely indicated. It is very difficult to quantify the deflection because it is not known.

श्री मधु लिमये : अध्यक्ष महोदय, इन को थोड़ी गलतफहमी है । मैंने उस को क्वांटिफाई करने के लिए नहीं कहा था । मैंने यह कहा था कि नेपाल से स्टेनलेस स्टील सिथेटिक फैब्रिक्स और शराब तो पहले आती थी जिस के आंकड़े सरकार के पास हैं । उस पर आप ने रोक लगाई है और कहा है कि नेपाल का माल 90 परसेंट तक होना चाहिए तो क्या इस तरह के सामान भी इन दिनों में आ रहे हैं ?

PROF. D. P. CHATTOPADHYAYA: If and when in the past this sort of problems about stainless steel, synthetic goods etc. arose, we looked into those problems. As I said, we are going to meet this very month and I think some of the questions raised by Limayeji will be taken up at that time. About the Indo-Nepal power project, it is a very potential area where our collaboration has strengthened. But since it pertains to another ministry I cannot go into details. But in principle I agree with it.

श्री मधु लिमये : विदेश मंत्री यहां पर बैठे हैं, वे भी इस के सम्बन्ध में कुछ कहें ।

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): I would like to add that some preliminary discussions have taken place between our Ministry of Irrigation and Power and the Government of Nepal to decide upon certain projects where hydro-electric power might be generated. As the House knows, in this respect, there has been very good cooperation between India and Nepal in the matter of canals and anti-flood measures and the stage has been reached when we can cooperate to establish a hydro-electric project in Nepal. As suggested by Mr. Limaye, they can retain the electricity for their own requirements and we can assure them that whatever surplus is left, we will be prepared to purchase it at a reasonable negotiated price

•SHRI NAWAL KISHORE SINHA (Muzaffarpur): In view of para 9 of the statement and the fact that His Majesty's Government of Nepal have made it clear that they have no intention to water down the provisions of article 7 of the Indo-Nepalese Treaty, I have no questions to put.

12.30 hrs.

PAPERS LAID ON THE TABLE

STATEMENT RE. EXTENT OF REDUCTION OF CRUDE OIL IMPORTS BY FOREIGN OIL COMPANIES AND REPORT OF TARIFF COMMISSION ON PRICE STRUCTURE OF BETA OXY NAPHTHOIC ACID.

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): I beg to lay on the Table:—

(i) A statement regarding the extent of reduction in crude oil imports by the foreign oil companies, particularly Caltex.

(ii) A copy of the Report (1966) of the Tariff Commission on the price structure of Beta Oxy Naphthoic Acid (Hindi version) under sub-section (2) of section 16 of the Tariff Commission Act, 1951.

[*Placed in Library. See* No. LT-5962/73].

COMPANIES (PUBLIC TRUSTEES) RULES, 1973.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): I beg to lay on the Table—

A copy of the Companies (Public Trustee) Rules, 1973 (Hindi and English versions) published in Notification No. G.S.R. 983 in Gazette of India dated the 15th September, 1973, under sub-section (3) of section 642 of the Companies Act, 1956 [*Placed in Library. See* No. LT-5963/73].

RAILWAY CONVENTION COMMITTEE

INTERIM REPORT

SHRI B. S. MURTHY (Amalapuram): I beg to present the Interim Report of the Railway Convention Committee, 1973.

12.31 hrs.

STATEMENT RE. CORRECTION OF INFORMATION GIVEN DURING CALLING ATTENTION ON 6-12-73

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): On behalf of Shri D. K. Borooah, I wish to make the following statement:

"I regret to say that in the debate on the 6th December, 1973 on the

Calling Attention Notice on Sagar Samrat', I made an incorrect statement. In reply to Shri Satpal Kapur as to the cost of the new electrical equipments (motors and generators) of 'Sagar Samrat', I said that the cost should be not more than Rs. two crores. But the correct position is that the cost of this is about $ 500,000 which in Indian currency would be of the order of Rs. 37.50 lakhs only this works out to less than 3 per cent of the cost of the Sagar Samrat. The ONGC had arrived at this figure on the basis of quotations received from foreign manufacturers of such equipments."

श्री मधु लिमये (बांका) : अध्यक्ष, महोदय मुझे इसी के सम्बन्ध में एक वाक्य कहना है । इसी से सम्बन्धित एक दूसरी गलत बयानी भी है--कुछ महीने पहले मैंने सवाल किया था- इन्होंने कहा था कि " सी बेड-सर्व में कोई खराबी नहीं है" इस को भी सुधार देते तो अच्छा था ।

अध्यक्ष महोदय : वह भी लगे हाथों सुधार देते ।

श्री सतपाल कपूर (पटियाला): इतनी बड़ी गल्ती सरकार मानती है तो क्या इस में एन्क्वायरी की जरूरत नहीं है ?

SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS), 1973-74

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (Railways) for 1973-74.

12.33 hrs.

MATTER UNDER RULE 377

ALLEGED VIOLATION OF THE CONSTITUTION BY U.P. GOVERNOR FOR NOT SUMMONING THE LEGISLATIVE ASSEMBLY.

श्री मधु लिमये (बांका) : अध्यक्ष, महोदय, आज मैं सदन के सामने एक महत्व पूर्ण संवैधानिक सवाल उठाना चाहता हूं । उत्तर प्रदेश में 13 जून, 1973 को राष्ट्रपति शासन जारी किया गया था और आन्ध्र प्रदेश में 10 जनवरी, 1973 को । उत्तर प्रदेश में असेम्बली का आखरी सत्र-मेरी जानकारी के अनुसार 15 मई, 1973 को हुआ था । राष्ट्रपति शासन के काल में न आन्ध्र प्रदेश में और न उत्तर प्रदेश में विधान सभा को बरखास्त किया गया था, विधान सभा स्थगित थी , लेकिन जीवित थी, सिर्फ आर्टिकल 174 (1) का तहत स्थगित रखी गई थी । जहां तक धारा 174 का सवाल है, ये मेन्डेटरी धारा है, इस के ऊपर अमल करना गवर्नर का संवैधानिक कर्तव्य है, क्योंकि संविधान की 156 धारा के तहत वह शपथ लेता है कि संविधान की रक्षा करूंगा ।

अब संविधान की रक्षा करने का जो दायित्व गवर्नर पर दिया गया है- इस दायित्व को देखते हुए क्या उन्हें बहुगुणा जी को आदेश नहीं देना चाहिये था कि अब आप मुख्य मंत्री बने है, विधान सभा की आखरी बैठक 15 मई को हुई थी, 6 महीने से अधिक महीने बीत गये हैं, असैम्बली बरखास्त नहीं थी, इस लिये तत्काल विधान सभा की बैठक बुलानी चाहिये । आन्ध्र प्रदेश के बारे में तो मैं मान सकता हूं-चूंकि राष्ट्रपति शासन ता० 10 को ही खत्म हुआ है, मंत्री मंडल भी उसी दिन बना है तथा असेम्बली की बैठक बुलाने के लिये 7-8 दिन का नोटिस चाहिये इस लिये आन्ध्र के नये मुख्य मंत्री 7-8 दिन

[श्री मधु लिमये]

के अन्दर विधान सभा की बैठक बुलायेंगे तो आप कह सकते हैं कि 174 धारा का पालन हुआ है, लेकिन उत्तर प्रदेश के मुख्य मंत्री श्री बहुगुणा इतने दिन होने के बाद भी विधान सभा की बैठक बुलाने की बात तक नहीं करते हैं। मेरी समझ में नहीं आता—क्या उन को यह डर है कि कांग्रेस पार्टी का जो बहुमत है, वह उन का समर्थन नहीं करेगा और उन की सरकार फेल हो जायेगी? क्या वजह है कि विधान सभा की बैठक नहीं बुलाई जा रही है?

इस सम्बन्ध में एक बात मैं आप को याद दिलाना चाहता हूं अभी मैं कलकत्ता हाई कोर्ट का जजमेन्ट लाया हूं—आप को याद होगा—

SHRI JAGDISH CHANDRA DIXIT (Sitapur): On a point of Order, Sir. Can this question be raised in this House?

श्री शशि भूषण (दक्षिण दिल्ली): उत्तर प्रदेश विधान सभा में कांग्रेस का बहुमत है, अभी पं० कमलापति त्रिपाठी जी को राज्य सभा के चुनाव में अधिक से अधिक वोट मिले हैं।

श्री मधु लिमये: कलकत्ता हाई कोर्ट के सामने अजय मुखर्जी की सरकार को जो बरखास्त किया गया था, उस का मामला आया था, उस में सारे तथ्य अदालत के सामने आये। गवर्नर चाहते थे कि 18 नवम्बर को विधान सभा को बैठक बुलाई जाये। उन्होंने यह भी कहा था कि 30 नवम्बर तक भी बुलायेंगे तो मुझे एतराज नहीं है, अजय मुखर्जी की सरकार की बहुमत है या नहीं—उस का फैसला विधान सभा में होना चाहिए। अजय मुखर्जी की सरकार ने यह रूख अपनाया कि धारा 174 में 6 महीने की मियाद है, इस लिए 6 महीने के अन्दर अगर विधान सभा की बैठक बुलाते हैं तो हम संविधान का और अपनी शपथ का पालन करते हैं, इस में गवर्नर को दखल देने की जरुरत नहीं है। साधारण तोर पर धारा 174 के तहत गवर्नर अपने से विधान सभा की बैठक नहीं बुलाता है, वह मुख्य मंत्री की सलाह पर, कैबिनेट की सलाह पर बुलाता है। लेकिन चूंकि उन्होंने कहा कि 18 दिसम्बर को बैठक बुलायेंगे यानी केवल 3 सप्ताह का विलम्ब हो रहा था हालांकि इससे संविधान की धारा 174 नहीं टूट रही थी, 6 महीने की अवधि खत्म नहीं हुई थी, लेकिन फिर भी उन को बरखास्त कर दिया गया था। यहां ये अभी तक बैठक नहीं बुला रहे हैं। एक सवाल घुमा फिरा कर शायद कानून मंत्री आज उठायेंगे कि राष्ट्रपति के शासन में, जो विधान सभा स्थगित थी उस काल को गिनना नहीं चाहिए लेकिन धारा 356 का आप अध्ययन कीजिए, धारा 174 का आप अध्ययन कीजिए, उस में ऐसी कोई बात नहीं है। उसमें एक शब्द भी नहीं है कि राष्ट्रपति शासन में जो विधान सभा स्थगित थी उस काल की गणना नहीं करनी चाहिए। मेरी राय है कि धारा 356 के अन्तर्गत विधान सभा को स्थगित रखने का इन को अधिकार नहीं है लेकिन जबर्दस्ती उन्होंने इनिडैटल और कांसिक्वैंशियल मैजर्स के नाम पर विधान सभा को स्थगित रखने का अधिकार दो तीन साल से हाथ में लेना शुरू कर दिया है। वास्तव में विधान सभा का भंग ही धारा 356 में होना चाहिए, इस लिए अगर इन्होंने धारा 356 का दुरुपयोग किया है तो इसका खुलासा होना चाहिए। 6 महीने की जो अवधि है वह हो चुकी है। 13 जून तारीख को राष्ट्रपति का शासन हुआ था और आज दिसम्बर की 11 तारीख है, उसके भी 6 महीने पूरे हो रहे हैं। विधान सभा की बैठक 15 मई को हुई थी और उसके बाद 6 महीने से अधिक की अवधि हुई है।

इस लिए मैं मांग करता हूं कि राष्ट्रपति संविधान का पालन करें। गवर्नर की नियुक्ति राष्ट्रपति करते हैं, राष्ट्रपति के प्लेजर में गवर्नर गवर्नर रहता है और चूंकि गवर्नर ने अपनी

शपथ का उल्लंघन किया है इसलिए मेरी केन्द्र से और राष्ट्रपति जी से प्रार्थना है कि वे तत्काल गवर्नर को हटावें, नये गवर्नर की नियुक्ति करें और उसके द्वारा बहुगुणा को तत्काल डिसमिस करने का काम करें तथा कोई नया मुख्य मंत्री आये जो संविधान का पालन और संविधान की रक्षा करे ।

SHRI SHYAMNANDAN MISHRA (Begusarai): One point with regard to this. It is a point of constitutional importance.

To my mind, the demand for the convening of the Assembly now which does not seem to exist, is not a very proper demand. The Assembly, to my mind, ceased to exist after the 15th November because the last session of the Assembly was held on the 15th of May and since no session of the Assembly was held by the 15th of November, the Assembly must be deemed to have gone out of existence. What is the correct constitutional position?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I have not got notices of this. I am speaking on the first impression after hearing the hon. Members. Part of the arguments was anticipated by Mr. Madhu Limaye also.

The whole question is that under Art 356 when President's rule is promulgated, the President has been given power to suspend certain provisions of the Constitution as he would deem fit. I will make an elaborate statement tomorrow if you so direct me. But even this Art 174 itself, as far as I can remember, was suspended. So, the question of calculating the period does not arise.

MR. SPEAKER: Let him have his time.

SHRI SHYAMNANDAN MISHRA: My point is completely different. I take the stand that the Assembly now does not exist. What have you to say about it?

MR. SPEAKER: He will make a statement later on.

PROF. MADHU DANDAVATE (Rajapur): The statement should come before U.P. elections.

MR. SPEAKER: Now, we go to the next item. Mr. Banerjee to continue his speech.

SHRI P. M. MEHTA (Bhavnagar): The Speaker of the Meghalaya Assembly has referred a second privilege motion to the Privileges Committee.

MR. SPEAKER: I know it and I am writing to the Speaker.

SHRI P. M. MEHTA: Kindly take up the matter without any loss of time.

MR. SPEAKER: I am already moving in the matter.

12.44 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF CENTRAL EXCISES AND SALT (AMENDMENT) ORDINANCE AND CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL—*contd.*

MR. SPEAKER: Mr. Banerjee to continue his speech.

SHRI S. M. BANERJEE: (Kanpur): In reply to the debate, the hon.

[Shri S. M. Banerjee]

Minister for Finance, Mr. Y. B. Chavan, has not advanced any argument which could justify the increase in the excise duty. Our objection was mainly that the Government has taken this opportunity and through the back-door, they have mobilised resources and levied this excise duty. We are aware of the international situation, and we are also aware of the international situation as far as oil is concerned. We know we are at the mercy of some countries. The difficult situation is known to us. The whole argument was this. Was it necessary to raise the excise duty to this extent? I have already point out to you that this was a calculated effort on the part of the Government to please the oil interests and to squeeze the common people in our country by levying excise duty by addition of one rupee per litre. The price was increased so much in the price of kerosene that they thought it fit to decreased the price by ten paise per litre. But still the price is above the reach of the common man.

MR. SPEAKER: You may confine yourself to reply to the points raised. You are just now replying to the debate on your Resolution. Don't add new matters to it, please.

SHRI S. M. BANERJEE: He has replied to the debate and I am replying to him! Some valuable suggestions have come from some of the Members of the ruling party. Dr. Kailas had the courage to say, in spite of pressure from the ruling party not to speak, that there should be rationing and something should be done for the taxi drivers and for the scooter-drivers and for those people who had taken loans from the Government and purchased such vehicles. We want that there should be drastic reduction on the price of petroleum and in the price of kerosene oil. We fear whether these will be increased further because we have come to know that India will not be a party to the auction because we have no resources to compete with those countries who are rolling in wealth. I would request the hon. Minister to accept the amendments moved by hon. friend Mr. Somnath Chatterjee and others in case he is not prepared himself to move such amendments. If he is not willing, I would request you to put my Statutory Resolution to the vote of the House. We are only voicing the feelings of the people, although we are in a minority, and they are in the majority there. Let the people not feel that they are using the massive majority against the interests of the people. I may warn the Government: Let them not use the majority for this purpose, because a time is fast approaching when the people of the country will not take things lying down. With the increase in price of petrol what do we find? We find, the prices of all essential articles gone up. Sir, you will not allow another discussion. It was discussed sometime back. The price of everything has gone up. Even in today's papers we saw that the prices of electricity and water are going up. Water, electricity, gas, petroleum, everything has risen. All, commodities are rising including seasonal vegetables I do not want to withdraw my Resolution. I am pressing that my Resolution may be voted by the House.

AN HON. MEMBER: There is no quorum in the House.

MR. SPEAKER: Let the quorum bell be rung.—

Now there is quorum. The question is:

"This House disapproves of the Central Excises and Salt (Amendment) Ordinance, 1973 (Ordinance No. 3 of 1973) promulgated by the President on the 2nd November, 1973."

The Lok Sabha divided:

Division No. 15] [12.59 hrs.

AYES

Bade, Shri R. V.
Banerjee, Shri S. M.
Berwa, Shri Onkar Lal
Bhagirath Bhanwar, Shri
Bhaura, Sri B. S.
Bosu, Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Dandavate, Prof. Madhu
Dhote, Shri Jambuwant
Dutta, Shri Biren
Guha, Shri Samar
Halder, Shri Krishna Chandra
Joarder, Shri Dinesh
Kalingarayar, Shri Mohanraj
Kiruttinan, Shri Tha
Mavalankar, Shri P. G.
Mishra, Shri Shyamnandan
Mohammad Ismail, Shri
Mohanty, Shri Surendra
Mukerjee, Shri Samar
Mukerjee, Shri Saroj
Parmar, Shri Bhaljibhai
Patel, Shri H. M.
Saha, Shri Gadadhar
Sen, Dr. Ranen
Sezhiyan, Shri
Singh, Shri D. N.
Sinha, Shri Satyendra Narayan

NOES

Agrawal, Shri Shrikrishna
Awdhesh Chandra Singh, Shri
Barman, Shri R. N.
Barua, Shri Bedabrata
Besra, Shri S. C.
Bhuvarahan, Shri G.
Bist, Shri Narendra Singh
Brij Raj Singh-Kotah, Shri
Buta Singh, Shri
Chakleshwar Singh, Shri
Chaturvedi, Shri Rohan Lal
Chaudhari, Shri Amarsinh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Dalip Singh, Shri
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Deshmukh, Shri K. G.
Dharamgaj Singh, Shri
Dinesh Singh, Shri
Dixit, Shri G. C.
Engti, Shri Biren
Gandhi, Shrimati Indira
Ganesh,Shri K. R.
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hari Kishore Singh, Shri
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jeyalakshmi, Shrimati V.
Jitendra Prasad, Shri
Kadannappalli, Shri Ramachandran
Kader, Shri S. A.
Kailas, Dr.
Kale, Shri
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila

NOES—contd.

Kedar Nath Singh, Shri
Khadikar, Shri R. K.
Kotrashetti, Shri A. K.
Krishnan, Shri G. Y.
Kushok Bakula, Shri
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Mahishi, Dr. Sarojini
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallanna, Shri K.
Mallikarjun, Shri
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Mishra, Shri Jagannath
Mishra, Shri L. N.
Modi, Shri Shrikishan
Munsi, Shri Priya Ranjan Das
Murthy, Shri B. S.
Naik, Shri B. V.
Negi, Shri Pratap Singh
Painuli, Shri Paripoornanand
Pandey, Shri Shri Krishna Chandra
Pandey, Shri Sudhakar
Pandey, Shri Tarkeshwar
Pant, Shri K. C.
Parashar, Prof. Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patil, Shri Anantrao
Prabodh Chandra, Shri
Pradhan, Shri Dhan Shah
Raghu Ramaiah Shri K.
Ram, Shri Tulmohan
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Surat Prasad, Shri
Ramshekhar Prasad Singh, Shri
Rana, Shri M. B.
Rao, Dr. K. L.

NOES—concld.

Ravi, Shri Vayalar
Ray, Shrimati Maya
Rohatgi, Shrimati Sushila
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sathe, Shri Vasant
Satpathy, Shri Devendra
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shashi Bhushan, Shri
Shenoy, Shri P. R.
Shivappa, Shri N.
Shukla, Shri B. R.
Sohan Lal, Shri T.
Stephen, Shri C. M.
Sunder Lal, Shri
Swaran Singh, Shri
Tayyab Hussain, Shri
Unnikrishnan, Shri K. P.
Venkatasubbaiah, Shri P.
Yadav, Shri Chandrajit
Yadav, Shri Karan Singh
Yadav, Shri R. P.

MR. SPEAKER: The result* of the division is: Ayes 30; Noes 109.

The motion was negatived.

MR. SPEAKER: We had allotted three hours for the discussion. All that time is over now.

Now, I shall put the consideration motion to vote.

The question is:

"That the Bill further to amend the Central Excises and Salt Act, 1944, be taken into consideration"

The motion was adopted.

*Dr. Jivraj Mehta also recorded his vote for NOES.

Clause 2—(*Amendment of First Schedule*)

SHRI MADHU LIMAYE (Banka): I move to move:

Page 1, line 10, *for* "Two thousand" *substitute* "One hundred" (1)

Page 1, 13, *for* "Four hundred and sixty-five" *substitute* "three hundred and thirty". (2)

SHRI SAMAR GUHA (Contai): I beg to move:

Page 1, line 10, *for* "Two thousand" *substitute* "One thousand and one hundred and fifty". (4)

Page 1, line 13, *for* "Four hundred and sixty-five" *substitute* "Three hundred and twenty-five" (6)

MR. SPEAKER: I shall now put the amendments to vote.

श्री मधु लिमये: अध्यक्ष महोदय, मैं बोलना चाहता हूं। डिवीजन के कारण मैं आ नहीं सका।

अध्यक्ष महोदय : टाइम तो खत्म हो गया। दोनों पर इकट्ठी बहस हुई थी। लंच के बाद भी चलेगा। मेरी तो सलाह थी इस को खत्म कीजिए क्योंकि टाइम काफी बढ़ गया है।

I shall now put amendments Nos. 1 and 2 by Shri Madhu Limaye and Nos. 4 and 6 by Shri Samar Guha to vote.

Amendments Nos. 1, 2, 4 and 6 were put and negatived.

MR. SPEAKER: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 8—(*Repeal and saving*)

SHRI SAMAR GUHA: I beg to move:

Page 1, *omit* lines 17 to 20. (7)

I want to keep on record the manner in which they are committing dacoity in a calculated way on the people. That is the reason why I have moved this amendment.

MR. SPEAKER: I shall now put this amendment to vote.

Amendment No. 7 was put and negatived.

13 hrs.

MR. SPEAKER: The question is:

"That caluse 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I move:

"That the Bill be passed".

MR. SPEAKER: Motion moved:

"That the Bill be passed".

SHRI JYOTIRMOY BOSU (Diamond Harbour): I gave notice for speaking in the third reading.

MR. SPEAKER: This is something printed received just now. Not notice is required for speaking .

SHRI JYOTIRMOY BOSU: It is printed, signed and the rules quoted. What is improper about it? Kindly read it and let the House know. How to function in this House. I do not know.

SHRI SHYAMNANDAN MISHRA: (Begusarai): He has given notice much earlier.

MR. SPEAKER: No notice is required for this.

SHRI SHYAMNANDAN MISHRA: One has to communicate one's desire to speak.

MR. SPEAKER: No need to give any notice in printed form. I mistook it for some notice of motion.

SHRI JYOTIRMOY BOSU: On a point of order.

MR. SPEAKER: This is something printed.

SHRI SHYAMNANDAN MISHRA: What of that? He has facilitated your task.

SHRI JYOTIRMOY BOSU: I have written to you under my signature, well in advance. If you find fault with it, tell me what should I do.

MR. SPEAKER: Please sit down. Do not talk like that. Submission must be properly made.

SHRI JYOTIRMOY BOSU: What submission? I am talking in the proper manner.

MR. SPEAKER: How much time do you want for this? We have already exceeded the time limit.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAMAIAH): Fifteen minutes.

MR. SPEAKER: Anyway, we will adjourn now for lunch and reassemble at 2 P.M.

13.05 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at five minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER: *in the Chair*]

SHRI S. M. BANERJEE (Kanpur): I want to make a small submission; kindly hear me for half a minute. You would remember that I was referring to the virtual closure of Sri Ram Institue in New Delhi. They also met the Prime Minister. With the help of the police, they took all the scientists inside and they have arrested five or six scientists. In the larger interest of good relations in that particular institution, you may direct Shri C. Subramaniam, the Minister of Science and Technology to make a statement. You must convey our feelings to the hon. Minister.

STATUTORY RESOLUTION RE. DISAPPROVAL OF CENTRAL EXCISES AND SALT (AMENDMENT) ORDINANCE AND CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL—*contd.*

SHRI JYOTIRMOY BOSU: The Government has found it very convenient to touch the helpless and weaker sections of the society because direct taxation which to some extent will go and hit their monopoly godfathers had been causing difficulty for them and as a result the collection of direct taxes has actually gone down. If you analyse industrial costing, you will find the share of workers' wages has also considerably gone down. Their profits have gone up. They are not paying taxes. They have stooped low to come and grab two items, one of which is so very important in the life of the common man. If you cannot get kerosene in the rural areas, you live in darkness. Motor spirit was selling at Rs. 1,000 a kl. before taxation, on 2 November 1973. The next day, after taxation, it was selling at Rs. 2,000 per kl. Superior kerosene was selling at Rs. 265 per kl. and it was raised to Rs. 465 per kl. on 2-11-1973 and then reduced to Rs. 365 with effect from 9-11-1973. The retail price at Delhi as ascertained informally from the Ministry of

Petroleum and Chemicals was that petrol was selling at Rs. 1.66 per litre on 2-11-1973 and it was selling at Rs. 2.78 per litre on 3-11-1973. Superior kerosene oil was selling at 65 per litre; it was raised to 85 paise per litre; with effect from 3-11-1973. What do they say in the Statement of Objects and Reasons. They say that it became necessary to bring about parity in the price of kerosene and high speed diesel oil due to widespread diversion of kerosene for adulteration with HSD oil. What makes them adulterate HSD oil with kerosene?

MR. DEPUTY-SPEAKER: Your speech sounds like a speech on the first reading stage.

SHRI JYOTIRMOY BOSU: It is only a preface. To bring up kerosene price because it was used to adulterate diesel, is untenable. Therefore, we cannot allow this Bill to be passed. On the 9th December, there was a news item in the *Times of India* which says that keeping in view the high level of budgetary deficit this year due to unanticipated and urgent demands of an inescapable nature, a series of measures have to be taken to reduce the level of deficit. Taxation on kerosene will bring in Rs. 37 crores.

MR. DEPUTY-SPEAKER: I hope you are aware of the difference between the first reading and the third reading.

SHRI JYOTIRMOY BOSU: You can educate me on this.

MR. DEPUTY-SPEAKER: I am educating you.

SHRI JYOTIRMOY BOSU: I will take your education later; you should first see my knowledge. When Central Excise first came, it covered only 9 items. Today it covers more than 116 items. What have they done?

The target of saving fixed was Rs. 400 crores, but in actual performance, they have not exceeded Rs. 166 crores. Out of that, the cut in non-plan expenditure is not more than Rs. 6 crores and the rest is through cuts in the developmental and social service budget.

I come to the ratio between direct and indirect taxes. In 1971-72 they collected Rs. 167 crores by way of excise on sugar alone, Rs. 123 crores on kerosene, Rs. 193 crores on cigarettes and Rs. 84 crores on unmanufactured tobacco. All these items are meant for consumption by the common people. I oppose indirect taxes because every day they are increasing the number of items and the quantity of tax on articles of common man's consumption, the weaker sections of the society, who are defenceless, because they want to allow the rich tycoons, the monopolists who are their patrons, to go untouched. In 1973-74 out of a gross revenue of Rs. 5113.56 crores, direct taxes account for Rs. 1314.35 crores and indirect taxes Rs. 3799.21 crores. The percentage of direct taxes to total revenue is 25.7 while the percentage of indirect taxes to total revenue is 74.3. Therefore, I oppose this levy on kerosene and petrol, particularly kerosene, which creates a lot of hardship for the weaker sections of the society. This House should not allow the Bill to be passed because it will work against the majority of the population of the country, particularly those belonging to the weaker sections of the society.

SHRI S. M. BANERJEE *rose*—

MR. DEPUTY-SPEAKER: You have not given notice.

SHRI JYOTIRMOY BOSU: Before the lunch break, the hon. Speaker made certain observations which pained me very much. He said, it is not necessary to give notice. Now you say, we should have given notice. What are we to do if we are subjected to this sort of tantrums from the Chair?

MR. DEPUTY-SPEAKER: There is no question of tantrums. I do not know what the Speaker said, but it is the duty of the Chair to contain the debate within the time allotted so that the whole thing may not be repeated again. Our rules are very clear: The scope in the third reading should be confined strictly either to supporting or to rejecting the Bill. We should not repeat the arguments used in the first reading. I do not want to prevent you, but I do not want you to repeat the arguments again.

SHRI S. M. BANERJEE: I once again oppose the Bill.

SHRI JYOTIRMOY BOSU: This is repetition!

श्री मधु लिमये (बांका) : उपाध्यक्ष महोदय, मैं इस विधेयक का तीव्र विरोध करना चाहता हूं। मेरी राय में यह बिलकुल गैर जरुरी है और जनता को तकलीफ डालने वाला विधेयक है। सरकार की अयोग्यता और अकर्मण्यता के चलते आज यह विधेयक पेश करने की इनको जरुरत महसूस हुई है।

उपाध्यक्ष महोदय, 1963 के बाद अपने देश में तेल की खोज करने का यदि समुचित ढंग से प्रयास किया जाता तो इतना तेल उपलब्ध हो जाता कि आज विदेशों के ऊपर निर्भर रहने की या टैक्स लगाने की कोई जरूरत महसूस नहीं होती। इस सरकार के ऊपर मेरा यह आरोप है कि तेल की खोज के बारे में आयल एण्ड-नैचूरल-गैस कमीशन ने अपनी अयोग्यता को साबित किया है। मालवीय कमैटी ने ओ०एन०जी०सी० में कैसे सुधार लाना चाहिए इस के बारे में अपने सुझाव दिये हैं। मालवीय कमैटी का जो गठन किया गया उस में शरू से ही एक दोष रहा, जीओफिजिक्स के नाम पर, जो विज्ञान की एक शाखा है उस के एक नहीं दो प्रतिनिधियों को मालवीय जी की समिति में लिया गया, लेकिन एक प्रतिनिधि को बिलकुल नहीं लिया गया--वह था--जियालौजीवाला प्रतिनिधि। बिना जियालोजिस्ट के मालवीय कमैटी का काम अधूरा रहना स्वभाविक था। फिर भी मालवीय जी ने जो सुझाव दिये हैं--क्या वजह है सरकार अभी तक उन सुझाओं पर अमल नहीं कर रही है ?

एक दूसरी बात मैं वित्त मंत्री जी के ध्यान में लाना चाहता हूं--मैं बार बार यह कहता आया हूं कि हमारी जो रिफाइनरीज हैं--कोयाली और बैरोनी--इन में जिस क्रूड आयल का इस्तेमाल किया जाता है, उनमें से साढे सात प्रतिशत बरबाद हो रहा है। मैं बार बार यहां पर कहता रहा हूं--शुरू में तो कहा गया कि आप की बातों में कोई तथ्य नहीं है, लेकिन, उपाध्यक्ष महोदय अब पैट्रोलियम मिनिस्टर ने यह कबूल किया है कि इण्डोनेशिया जैसे अविकसित देश में भी...

MR. DEPUTY-SPEAKER: This should really be discussed under the Ministry of Petroleum and Chemicals.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरे केवल दो मुद्दे हैं--पहला--अगर तेल की खोज में हमको सफलता मिलती तो इनको दाम बढ़ाने की जरूरत नहीं पड़ती, एक्साइज ड्यूटी बढ़ाने की जरूरत नहीं पड़ती चूंकि हम विदेशों पर निर्भर हैं और विदेश अपने दाम बढ़ा रहे हैं

MR. DEPUTY-SPEAKER: How is it connected with this Bill? This is a broader question.

श्री मधु लिमये : मैं यही बतला रहा हूं कि इस बिल की आवश्यकता ही नहीं थी। मैं जिन दो मुद्दों को सामने रख रहा हूं यदि उन

कामों में सफलता मिलती तो चव्हाण साहब खुद सहमत होते कि इस की जरुरत नहीं थी।

मेरा दूसरा मुद्दा यह है कि इण्डोनेशिया जैसे अविकसित देश की रिफायनरीज में भी क्रूड का लौस 3 प्रतिशत से अधिक नहीं होता है। हालैंड, फ्रांस, अमरीका और यहां तक सोवियत यूनियन में भी—अभी सोवियत यूनियन के डिप्टी प्राइमिनिस्टर ने कहा है कि हमारे यहां इसका नुकशान नगण्य है।

MR. DEPUTY-SPEAKER: How does it come here?

श्री मधु लिमये : उपाध्यक्ष महोदय, आप क्यों इतने इम्पेशेंट हो रहे हैं। मैं खत्म कर रहा हूं, इन्ट्रप्शन से ज्यादा समय जाता है। मैं एक डेढ मिनट में अपनी बात खत्म करके वित्त मंत्री जी को मौका दे रहा हूं, उनके रास्ते में कहां आ रहा हूं। आप ने मुझे तीन बार टोका है—हम कैसे आगे बढेंगे ? मैं 40 करोड रुपया बचाने की बात कर रहा हूं और आप इम्पेसन्ट हो रहे हैं। मेरी बात आधी मिन्ट में शान्ति से सुनिए।

अगर इंडोनेसिया अपने लोसेज को 3 प्रतिशत तक घटा सकता है और सोवियत यूनियन आदि देशों में यह बहुत नग्लिजिबिल है, एक डेढ प्रतिशत है, तो यहां क्यों नहीं हो सकता है। आप पैट्रोल पंप में जो पैट्रोल बेचते हैं उस का इवापोरेशन लास 2 परसेंट देते हैं। रिफाइनरीज में लाइट गैस और पैट्रोल के अलवा ऐसा कोन सा डिस्टीलेट है जिसका लास होना चाहिए। क्या कैरोसीन का लोस होगा, क्या हाइस्पीड डीजल का लोस होगा, क्या नैपथा का लास होगा, जिस का लोस होगा इस में बडी चोरी हो रही है —कोयाली और बैरोनी रिफाइनरी में जो घपला हो रहा है उस की आड़ में छिपकर मैं एक सैन्सेशनल बात कह कर खत्म कर रहा हूं—एसो, कालटैक्स और बर्माशैल, जो अच्छी तरह से जानते हैं कि कोयाली और बैरौनी में साढे सात परसेंट लास होता है, 6 परसेंट का लाभ उठा रहे हैं। मेरी जानकारी के अनुसार वे 6 पर सेंट क्रूड कम आयात करते हैं, लेकिन इसका बिल दिखा देते हैं। इस तरह से 6 पर सेंट की चोरी ऐसी रिफाइनरी, कालटेक्स और बर्माशैल कर रहे हैं।

उस दिन जब मैं सोवियत नेता से मिलकर बाहर आ रहा था, डिप्टी प्राइममिनिस्टर से पेट्रोलियम मिनिस्टर ने मुझ मिलाया और उन्होंने आश्वासन दिया है कि सोवियत विषेषज्ञ आ रहा है। और इसकी जांच होगी। तो आज मंत्री महोदय के ऊपर एक बहुत बडी जिम्मेदारी है। जब आप देश की गरीब जनता पर बोझ डाल रहे हैं क्योंकि किरोशिन के बारें में कोई दो रायें नहीं हो सकती कि उसका बोझ गरीब जनता पर आयेगा और अन्ततोगत्वा प्रेट्रोल का सरकारी खर्चा बढेगा जिसका बोझ भी गरीब जनता पर आयेगा तो मैं जानना चाहता हूं क्या आपका यह दायित्व नहीं है कि जनता के ऊपर नया टेक्स लगाने के पहले आपके यहां जो घपला होता है, 40 करोड रुपया जो हर साल बर्बाद हो रहा है उसको पहले ठीक करें? इतना ही बोलकर मैं अपनी बात समाप्त करता हूं।

MR. DEPUTY-SPEAKER: The Minister.

SHRI YESHWANTRAO CHAVAN: Nothing.

MR. DEPUTY-SPEAKER: The Minister has nothing to say in reply to these things.

The question is:

"That the Bill be passed."

The Lok Sabha divided:

Division No. 161] [14.23 hrs.

AYES

Arvind Netam, Shri
Bajpai, Shri Vidya Dhar
Balakkrishniah, Shri T.
Barman, Shri R. N.
Barua, Shri Bedabrata
Basappa, Shri K.
Besra, Shri S. C.
Bhagat, Shri H. K. L.
Bhargava, Shri Basheshwar Nath
Chandra Gowda, Shri D. B.
Chaudhari, Shri Amarsinh
Chavan, Shri Yeshwantrao
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhutten Lal, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Daschowdhury, Shri B. K.
Deshmukh, Shri K. G.
Dharamgaj Singh, Shri
Dixit, Shri G. C.
*Dutta, Shri Biren
Engti, Shri Biren
Ganesh, Shri K. R.
Godara, Shri Mani Ram
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Kailas, Dr.
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kinder Lal, Shri
Kotrashetti, Shri A. K.
Lakkappa, Shri K.
Mahajan, Shri Y. S.
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mandal, Shri Jagdish Narain
Maurya, Shri B. P.
Mishra, Shri G. S.
Naik, Shri B. V.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Painuli, Shri Paripoornanand
Pandey, Shri Krishna Chandra
Parikh, Shri Rasiklal
Paswan, Shri Ram Bhagat
Patel, Shri Arvind M.
Patel, Shri Natwarlal
Patil, Shri Anantrao
Peje, Shri S. L.
Raghu Ramaiah, Shri K.
Rajdeo Singh, Shri
Ram Surat Prasad, Shri
Rao, Shri K. Narayana
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Samanta, Shri S. C.
Shankar Dayal Singh, Shri
Sharma, Shri Nawal Kishore
Shashi Bhushan, Shri
Shastri, Shri Biswanarayan
Shenoy, Shri P. R.
Sher Singh, Prof.
Shivnath Singh, Shri
Shukla, Shri B. R.
Sinha, Shri Nawal Kishore
Sohan Lal, Shri T.
Thakur, Shri Krishnarao
Tiwari, Shri R. G.
Virbhadra Singh, Shri

*Wrongly voted for AYES.

Division No. 16] **[14.28 hrs.**

NOES

Bade, Shri R. V.

Banera, Shri Hamendra Singh

Banerjee, Shri S. M.

Berwa, Shri Onkar Lal

Bhattacharyya, Shri S. P.

Bhaura, Shri B. S.

Bosu, Shri Jyotirmoy

Chandrappan, Shri C. K.

Chittibabu, Shri C.

Dhote, Shri Jambuwant

Halder, Shri Krishna Chandra

Hazra, Shri Manoranjan

Krishnan, Shri E. R.

Limaye, Shri Madhu

Mavalankar, Shri P. G.

Mehta, Shri P. M.

Mohammad Ismail, Shri

Mukherjee, Shri Samar

Parmar, Shri Bhaljibhai

Pradhan, Shri Dhan Shah

Saha, Shri Ajit Kumar

Saha, Shri Gadadhar

Sezhiyan, Shri

Solanki, Shri Somchand

Subravelu, Shri

Yadav, Shri G. P.

MR. DEPUTY-SPEAKER: The result* of the division is: Ayes 74; Noes 26.

The motion was adopted.

14.25 hrs.

CODE OF CRIMINAL PROCEDURE BILL—*contd.*

MR. DEPUTY-SPEAKER: Now we move to item No. 10 where we are in for a fairly confused operation, and I would request the members to kindly listen to me so that we can move steadily and avoid a lot of confusion.

On the last occasion, the discussion on this Bill, the Code of Criminal Procedure Bill, was adjourned by a motion of this House. In the beginning, the Minister for Parliamentary Affairs who moved this motion, wanted an adjournment on the ground that clause 125 of the Bill would be reconsidered by the Government, but, ultimately, the motion did not specify any clause. It only wanted an adjournment of the motion. The amendment of Mr. Madhu Limaye was that the adjournment should be to re-open discussion on certain clauses. That was negatived.

Shri Ram Niwas Mirdha will now move the motion to resume the discussion on this Bill. When that is adopted, there are quite a number of motions for rescission of the decision on the last occasion. If any of the motions for rescission is adopted by the House, then the effect would be that that particular clause in respect of which a rescission motion has been adopted and all the amendments that were negatived on the last occasion relating to that clause become alive again and the whole clause and the amendments on the last occasion are again a subject of discussion. If there has been an amendment that was accepted by the House on the last occasion, the decision of accepting that amendment also becomes defunct. The amendment is again subject to discussion and over and

*The following Members also recorded their votes:
AYES: Sarvashri Yamuna Prasad Mandal and K. Gopal.
NOES: Sarvashri Bhogeshwar Jha and Biren Dutta.

[Mr. Deputy-Speaker]

above that, there are fresh amendments which the Members have given notice of. Those amendments will be moved and they will be re-discussed.

Now, Shri Ram Niwas Mirdha.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): I beg to move:

"That the debate on the Bill to consolidate and amend the law relating to Criminal Procedure, as passed by Rajya Sabha, which was adjourned on the 3rd September, 1973, be resumed now."

MR. DEPUTY-SPEAKER: Now, the question is:

"That the debate on the Bill to consolidate and amend the law relating to Criminal Procedure, as passed by Rajya Sabha, which was adjourned on the 3rd September, 1973, be resumed now."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, we take up the motions for rescinding the decision. There are quite a number of them here. The first is in respect of clause 41. There is a motion for rescission, No. 311, by Shri Dinesh Joarder. Shri Joarder is not here. He is not moving it and the question does not arise.

श्री मधु लिमये (बांका) : उपाध्यक्ष महोदय, इस के बारे में मुझे एक प्रार्थना करनी हैं। आप को याद होगा कि जब दफ़ा 125 को इन्हों ने पुनर्विचार के लिये लाना चाहा तो इस पर बड़ी बहस हुई थी और स्पीकर साहब के कमरे में हम सब लोग गये थे, और उस समय यह समझौता हुआ था कि 125 पर हम पुनर्विचार करने के लिये तैयार हो जायेंगे बशर्ते कि और क्लाजेज के उपर पुनर्विचार के लिये सरकार तैयार हो जाय ।

MR. DEPUTY-SPEAKER: Let us come to that clause. On Clause 41, Shri Joarder is not here. The Rescinding Motion is not moved. So, the decision of the last occasion stands.

So, Clause 41 stands part of the Bill. Again as regards clauses 45 and 57. Shri Joarder is not here. The rescission motions are not moved. Clauses 45 and 57 stand part of the Bill as on the last occasion. Then, on Clause 106, Mr. Madhu Limaye.

Clause 106—(*Security for keeping the peace on conviction.*)

श्री मधु लिमये : पहले मेरी बात का फैसला हो। नहीं तो यह वोटिंग से खत्म करेंगे। स्पीकर के सामने जो समझौता हुआ था उस के अनुसार जिन प्रस्तावों का मैंने नोटिस दिया हैं उसके ऊपर सरकार बंधी हुई है । 125 के साथ उन पर भी पुनर्विचार होगा । इसलिये अपने दो तिहाई बहुमत का इस्तेमाल कर के जिन मोशन्स के बारे में ऐग्रीमेंट था स्पीकर के सामने उस ऐग्रीमेंट को तोड़ने का प्रयास न किया जाय । यही मेरी दोनों मंत्रियों से सानुगृह प्रार्थना है ।

I beg to move:

"That the decisions of the House in respect of Clause 106 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendment moved thereto, made on 30th August, 1973 be rescinded." (288)

MR. DEPUTY-SPEAKER: Shri Joarder is not here. I will put your motion to the House. It has to be taken clause by clause.

श्री मधु लिमये : मेरा यह सुझाव है कि मेरे प्रस्ताव सब एक साथ ले लिये जायें ।

MR. DEPUTY-SPEAKER: I am concerned with the procedure here.

श्री मधु लिमये : उपाध्यक्ष महोदय, इन का रुख इसके बारे में क्या है यह तो मालूम होना चाहिये ।

MR. DEPUTY-SPEAKER: If you come with certain definite question of procedure I will take note of that.

श्री मधु लिमये :ऐग्रीमेंट जो हुआ उस का क्या होगा ?

MR. DEPUTY-SPEAKER: I don't know; it is for them to say.

श्री मधु लिमये : उन्हें कहने का मौक तो दीजिये । नहीं तो दो तिहाई बहुमत से यह खत्म कर देंगे । उस समय यह तय हुआ था :

They said they are agreeable to reopening these clauses.

और आप वोटिंग में खत्म करना चाहते हैं ।

MR. DEPUTY-SPEAKER: Unless you move the Motion,....

श्री मधु लिमये : मैंने तो मूव किया है सभी प्रस्तावों को एक साथ लेना चाहिये ।

MR. DEPUTY-SPEAKER: I am concerned with Clause 106; you have made certain submissions, Mr. Madhu Limaye. Kindly sit down. Don't add to the confusion further. You have made your observations.

SHRI MADHU LIMAYE: I said, overall agreement.

MR. DEPUTY-SPEAKER: It is on record. If the Minister wants to say anything he may say.

SHRI RAM NIWAS MIRDHA: Well. Sir, I am not aware of the agreement in this respect. I have checked up with my hon. friend in that respect. Actually, as you yourself mentioned, that motion for reopening certain clauses moved by Mr. Madhu Limaye was negatived. I would again request hon. Members...

श्री मधु लिमये : मेरा एतराज है । संसद कार्य मंत्री मौजूद हैं । स्पीकर साहब को बुलाया जाय, तब तक इस पर बहस को मुल्तवी रखा जाय । उपाध्यक्ष महोदय, जो एग्रीमेंट का विषय था वहीं मेरे प्रस्तावों का विषय है । मेरे प्रस्ताव समझौते पर आधारित हैं । (**व्यवधान**)

MR. DEPUTY-SPEAKER: Mr. Joarder is here now. Mr. Joarder, we are now in Clause 106. We have passed the others. Now, with respect to Clause 106 you have got a motion. That number is 313.

This is the same motion as Mr. Madhu Limaye's. Do you want to speak on this one?

SHRI DINESH JOARDER (Malda): Sir, I have given my motion for rescinding the discussion.

MR. DEPUTY-SPEAKER: Mr. Joarder, I have explained about it at the beginning. Why don't you listen to me?

SHRI DINESH JOARDER: I am listening to you.

MR. DEPUTY-SPEAKER: You were not in the House in the beginning. That is why there is confusion. If your rescinding motion is accepted, the Clause and all the amendments given notice of on the last occasion which were negatived become alive again. And any new amendment which is given notice of to that clause may be moved and then the whole clause and the amendments can be discussed. Otherwise, there is no discussion.

Therefore, I shall put your motion and that of Shri Madhu Limaye for rescinding the discussion. If the House accepts it, then you can speak.

श्री मधु लिमये : अगर ऐग्रीमेंट का उल्लंघन होगा तो हम बिल्कुल नहीं चलने देंगे, यह मैं साफ़ कह देना चाहता हूं। बिल्कुल नहीं चलने देंगे। कोई मजाक है ? अगर यहां पर जो ऐग्रीमेंट हुआ है उस को तोड़ा जायगा तो उस का डट कर विरोध होगा।

श्री शंकर दयाल सिंह (चतरा) : उपाध्यक्ष महोदय, माननीय, लिमये जी ने अभी कहा..(**व्यवधान**)

श्री मधु लिमये : आप को पता नहीं है ऐग्रीमेंट के बारे में।

MR. DEPUTY-SPEAKER: Why are you so excited? Why can't you be calm? Why don't you sit down?

श्री शंकर दयाल सिंह : उपाध्यक्ष महोदय, दुख के साथ कहना पड़ता है कि माननीय सदस्य जब बोलने लगते हैं तो जरा भी संयम नहीं रखते हैं। एक बार इन्होंने कह दिया कि अध्यक्ष महोदय को बुलाया जाय, जैसे इन्हीं के आदेश पर सारा काम चलेगा। उन को हाजिर किया जाय। तो इस तरह के शब्दों का प्रयोग न करें।

श्री मधु लिमये : यह मैंने नहीं कहा। मैंने कहा बुलाया जाय।

MR. DEPUTY-SPEAKER: I have been listening to you all the time. Why don't you listen to me? If you do not get anything out of them, what can I do. I am here to regulate the proceedings.

SHRI JYOTIRMOY BOSU: At the same time, the Government has given a categorical assurance. Is that fulfilled?

MR. DEPUTY-SPEAKER: Now, I shall put the Motions of both Shri Madhu Limaye and Shri Joarder...

श्री मधु लिमये : उपाध्यक्ष महोदय आप मुझे सुनेंगे दो मिनट ? आप पहले तो बैठा देते हैं और जब आपके आदेशानुसार बैठ जाते हैं तो आप वोटिंग की बात करते हैं।

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, I rise on a point of order.

MR. DEPUTY-SPEAKER: I shall listen to you all. Kindly sit down. Unless the decision of the last occasion is rescinded, how does the discussion arise? You want to speak on the need to rescind. All right. You can speak. But, kindly be brief.

SHRI DINESH JOARDER: Sir, the discussion on Clause 106 has already been made by the House a few months back in the last session. But, at that time, we failed to impress upon the House certain salient features on which we placed some amendments to that Clause. That is why, again, we want to place before the House some suggestions. Also we want to impress upon the House that certain things in clause 106 have been incorporated, they will not only curtail the democratic rights of the individual people but also all sorts of political movements—trade union movements, peasant movements—are going to be curtailed. Under sub-clause (1) of Clause 106, a bond has got to be executed for any offence punishable under Chapter VIII of the Indian Penal Code. In chapter VIII of the IPC there are several sections relating to maintenance of peace and tranquillity, and they relate mainly to holding of meetings and other similar political and democratic movements. If the clause is passed as it is, then it will have a wide-range effect on all those democratic rights including the holding of political meetings and other democratic rights of the trade union and peasants' movements and these will all be curtailed.

So, I want that the House should reconsider the whole matter in a very impartial manner and give a second thought to the whole matter. In these circumstances, I request the House that the discussion on this clause should again be resumed and the discussion already held in the last session should be rescinded. I would also request the hon. Minister to show some spirit of accommodation so that improvement could be made in that clause and certain of our amendments may also be accepted.

श्री मधु लिमये : उपाध्यक्ष महोदय. पिछली बार सरकार क्लाज 125 पर पुनर्विचार कराना चाहती थी । उस पर इस सदन में बड़ी बहस हुई और बहस के बाद स्पीकर साहब ने हम सभी लोगों को बुलाया था । संसद-कार्य मंत्री भी वहां मौजूद थे । उस समय यह तय हुआ था कि अगर सरकार क्लाज 125 पर पुनर्विचार करना चाहती है, तो ऐसी और भी क्लाजिज हैं, जिन पर हम लोगों को एतराज है, इस लिए उन पर भी पुनर्विचार होना चाहिए । उस समय यह निर्णय किया गया था कि किन किन क्लाजिज पर पुनर्विचार होगा और स्पीकर के कमेटी रूम में जो निर्णय हुआ था, उसी के आधार पर मैंने अपने मोशन्ज दिये हैं । मैं भी दो सौ की लाजिजज पर पुनर्विचार के लिए सुझाव दे सकता हूं, लेकिन मैंने जान-बूझ कर अपने आप को केवल छः क्लाजिज तक सीमित रखा है, जिन में क्लाज 125 भी है । वे क्लाजिज हैं 106, 108, 109, 110, 125 और 144 । हम संसद-कार्य मंत्री से यह जानना चाहते हैं कि जो एट्रीमेंट का हिस्सा है, क्या वह भी वोटिंग से तय होगा । अगर उन की यही मंशा है, तो हम लोगों को जो करना है, वह करेंगे । हम सभी क्लाजिज को रिमिड करने के बारे में बोलेंगे, चाहे सदन माने या न माने । लेकिन जहां तक मेरी एमेंडमेंट है, सरकार उस के लिए नैतिकता की दृष्टि से बंधी हुई है, मारली कमिटिड है ।

MR. DEPUTY-SPEAKER: Before the hon. Minister replies, since Mr. Limaye has repeated it again and again and he is very agitated about it, I would expect the hon. Minister to say whether there has been any such agreement at all. I do not know, That point should be made clear first.

SHRI K. NARAYANA RAO (Bobilli): We would like to know on what points there has been agreement. It is not a general agreement.

MR. DEPUTY-SPEAKER: He has mentioned this point, and so, it has to be settled first. Let the hon. Minister of State in the Ministry of Home Affairs or the Minister of Parliamentary Affairs clarify the position. He has again and again mentioned that there has been an agreement. So, let that be settled first.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAMAIAH): At this distance of time, you will pardon me for saying this, I do not recollect it; if only Mr. Limaye had come to me half an hour before and told me, I might have recollected something.

Personally, to be very frank and very honest, I do not remember what happened at that time. Therefore, I do not want to stand on a formality. I am persuading my friend. We do not want to stand in the way. Government will finally take whatever view they want to. We do not stand in the way on a technical point. I really do not remember what happened last time.

SHRI DINESH JOARDER: In that case, no discrimination should be made. I had given some amendments.

MR. DEPUTY-SPEAKER: Each time, we are trying to break through the fence and get into something else. Let us go systematically. Would the Minister like to say something on this?

SHRI RAM NIWAS MIRDHA: The intention is that these clauses should also be debated and hon. members should have their say on them. Personally I would have no objection if you reopen them.

MR. DEPUTY-SPEAKER: I shall now put motion No. 288 to vote.

The question is:

"That the decisions of the House in respect of clause 106 of the Code of Criminal Procedure Bill 1972, as passed by Rajya Sabha, and the amendment moved thereto, made on 30th August, 1973 be rescinded". (288)

The motion was adopted.

MR. DEPUTY-SPEAKER: The whole of clause 106, and the amendments moved at that time and negatived become live. There are more amendments to be moved, given notice of by Shri Joarder and Shri Limaye.

SHRI MADHU LIMAYE: I beg to move:

Page 33, line 11,—

omit ",with or without sureties," (294)

Page 33, line 12,—

for "three years" *substitute* "one year" (295)

Page 33, line 18,—

omit "or committing mischief" (296)

SHRI DINESH JOARDER: I beg to move:

Page 33, lines 14 and 15,—

omit "punishable under Chapter VIII of the Indian Penal Code." (324)

Page 33,—

omit lines 20 and 21. (325)

SHRI S. M. BANERJEE (Kanpur): Since the hon. Minister has very kindly agreed that he will have no objection...

MR. DEPUTY-SPEAKER: The House has agreed to reopen it.

SHRI S. M. BANERJEE: My request is only this: let us first adopt all the motions for rescinding.

MR. DEPUTY-SPEAKER: That is very irregular.

SHRI DINESH JOARDER: That would be easier.

MR. DEPUTY-SPEAKER: If you do that, it will put the whole procedure topsy-turvy.

SHRI DINESH JOARDER: Not topsy-turvy.

MR. DEPUTY-SPEAKER: There cannot be a blanket decision that all the decisions on the last occasion should be rescinded.

SHRI K. NARAYANA RAO: It is unfair also.

श्री भोगेन्द्र झा (जयनगर) : उपाध्यक्ष महोदय, पिछली बार जो बातचीत हुई थी, उसमें प्रयास यही था कि हम सर्व-सम्मति से इस विधेयक को पारित कर सकें । श्री मिर्धा कुछ बातों के बारे में सहमत हो गये थे, लेकिन दुर्भाग्यवश वह ऐसा नहीं कर सके । यह विधेयक पिछले सत्रों में पारित नहीं हो सका । अब श्री मिर्धा ने सिर्फ यही कहा है कि डीबेट करने के लिए मौका मिल जाये ।

अगर उन का मकसद यह है कि केवल बहस करा कर सारी बात को टाल दिया जाये, तो इस से कोई फ़ायदा नहीं होगा ।

मेरा आग्रह है और जो लिमये जी का भी मतलब था. उसी पृष्ठभूमि में मैंने भी सिर्फ तीन ही संशोधनों के लिए दिया है. 116-107 के संबंध में है, 8, 9 के संबंध में और 146 और 167 के बारे में तो मेरा आग्रह है कि स्वीकृति के लिए जिस पर सरकार वचन-बद्ध है उस को स्वीकार करने का मंत्री महोदय वचन दें, इस में समय बच जायगा । अन्यथा केवल बहस कराएंगे तो उससे कोई मतलब नहीं निकलेगा ।

श्री मधु लिमये : मेरा सुझाव है कि पिछले जो रेसिड करने वाले मोशन हैं आप सब ले लीजिए और उस के बाद जो बलाज पुनर्विचार के लिए लिए जाएंगे उस पर बहस हो तो सुविधा होगी । नहीं तो बड़ा कन्फ्यूजन होगा कि किस पर पुनर्विचार हो रहा है, किस पर नहीं हो रहा है । तो रेसिड करने वाले को पहले होने दीजिए । उस के बाद उन्होंने भी कुछ अमेंडमेंट दिये हैं, मान लीजिए तय हो जाता है कि 8 पर पुनर्विचार होगा, 9 पर होगा तो उस के बाद उस पर विचार किया जाय ।

MR. DEPUTY-SPEAKER: I absolutely rule that we should proceed clause by clause steadily. Do you want to speak on this?

SHRI MADHU LIMAYE: Why not take the motions?

MR. DEPUTY-SPEAKER: It cannot be.

श्री मधु लिमये : अध्यक्ष महोदय, यह बहस ठीक नहीं हो पाएगी । हम लोगों का मन बंटा हुआ रहेगा । कोई मतलब नहीं निकलेगा उस बहस से ।

SHRI BHOGENDRA JHA: If you decide by seven, eight, 10 or 12 rescinding motions to be adopted, then the discussion will be limited to that, and we will expect the Treasury Benches to accept the amendments also in the light of our previous agreement. (*Interruptions*) Let us save the time.

MR. DEPUTY-SPEAKER: Order. please. Listen to me. I appreciate this; I appreciate your anxiety to save the time of the House All that I understand by what you are trying to submit is, instead of going through each clause, step by step, as we should do, if there can be an agreement between the Government and the Opposition leaders that only in respect of certain clauses, they should be opened and discussed and they need not move the rest, then, the time of the House may be saved.

SHRI BHOGENDRA JHA: That is the purpose.

MR. DEPUTY-SPEAKER: But how can we do it now?

SHRI BHOGENDRA JHA: By a rescinding motion.

MR. DEPUTY-SPEAKER: Unless you meet quietly somewhere and discuss and agree and come before me, you cannot do it now.

SHRI MADHU LIMAYE: Let us adjourn for half an hour.

MR. DEPUTY-SPEAKER: That will be a most unusual thing to do. I do not know. (*Interruptions*) I cannot do anything here. As far as I am concerned, if only we go quickly,—this one we reopen and discuss and the next one we do not want to reopen—all right, do not take up the rescission— and if it remains like that we can do that way also.

SHRI S. M. BANERJEE: In that case, let us ascertain the views of the hon. Minister. All the rescinding motions are before him. Let him say.

SHRI RAM NIWAS MIRDHA: I will not be in a position to accept any amendments the hon. Members have moved on the clauses that they want to reopen now. The only thing that I conceded was that in case the hon. Member want to debate or re-debate the clauses which they are interested in, there can be a debate, but I will not be in a position to accept the amendments.

MR. DEPUTY-SPEAKER: Then there is no way out.

SHRI S. M. BANERJEE: In that case, the discussion will be futile, because, why should we discuss at all. We are not here to strain our lungs. If he is not going to accept any amendment, what is the use of having this rescinding motion?

MR. DEPUTY-SPEAKER: I cannot agree more with Mr. Banerjee that we have to save energy in this country and even lung energy has to be saved. Now, Mr. Joarder; you may reopen clause 106.

SHRI DINESH JOARDER: Independently; clause by clause?

MR. DEPUTY-SPEAKER: One by one. We are confined to clause 106.

SHRI DINESH JOARDER: Clause 106?

MR. DEPUTY-SPEAKER: Yes.

SHRI DINESH JOARDER: I think this will take us to nothing. The Minister is consulting the officials. I think some result will come in.

I have moved amendments 324 and 325 to clause 106. Amendment No. 324 reads:

> "Page 33, lines 14 and 15,—
> *omit* "punishable under Chapter VIII of the Indian Penal Code,"

In chapter VIII of the Indian Penal Code punishment for an attempt for breach of peace or creating some atmosphere in which peace will be threatened has been provided. In the present day conditions of spiralling prices and foodgrains shortage and the attitude of the ruling party towards democratic, trade union movements and situations such as the IA lock out, vast masses of people are discontented with the present rule of the Government. It is likely that often people will try for the restoration of their democratic rights by way of launching movements either through political parties or through trade union movements or peasant movements. In that case, Government would be put in a tight position and that is why they want this clause. They will say that peace will be threatened and that means any kind of political movement will be curtailed by these provisions. Clause 106 says:

> "When a court of Session or Court of a Magistrate of the first class convicts a person of any of the offences specified in sub-section (2) or of abetting any such offence and is of opinion that it is necessary to take security from such person for keeping the peace, the court may.... order him to executive a bond....".

That means that every political worker will henceforth be asked to execute a security bond for keeping peace, and very often he will be at the mercy of the police officer or executive magistrate or administrators in collaboration with the ruling party. This is a dangerous clause.

Some other offences have laso been mentioned in clause 106. That is how political movements, or trade union movements or peasant movements are sought to be curtailed by this clause. This provision should be omitted. That is why I have moved my amendment No. 324.

My next amendment, No. 325 seeks to omit lines 20 and 21 on page 33.

The lines I seek to omit read: "any other offence which caused, or was intended or known to be likely to cause, a breach of the peace." This should be omitted. We should have democratic rights guaranteed to our people in a democratic society. Trade union and peasant movements should also be allowed to play their part, so that they may not come under the purview of this clause. I request the minister to accept these amendments.

15 hrs.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरे तीन संशोधन ह । जैसे इन्होंने क्लाज 107 के बारे में किया था। "विद-आर-विदाउट श्योरिटीज" काट दिया था. मैं चाहता हूं कि 106 में भी काट दें। दूसरे संशोधन में, जहां तीन साल तक बांड देने की बात कही गई है, यानी सजा भी होगी और तीन साल का बांड भी देना होगा. यदि वह गरीब है तो जेल में जाना पड़ेगा, मेरा संशोधन है कि अगर इसे रखना ही चाहते हैं तो तीन साल के बांड की जगह 1 साल करना चाहिए ।

मेरा तीसरा संशोधन है, "कमिटिंग मिसचिफ़" इस में से काट दिया जाय । कमिटिंग-मिसचिफ़ का कुछ भी अर्थ लगाया जा सकता है, किसी को भी इस के तहत जेल में रखा जा सकता है ।

अगर मेरे ये संशोधन मंत्री महोदय मान लेंगे तो यह विधेयक ज्यादा उदारवादी (लिबरल) बन जायगा ।

श्री आर० वी० बड़े (खरगोन) मुझे यही कहना है कि यह जो क्लाज 106 है, यह इतनी मिसचीवस है कि किसी को भी मैजिस्ट्रेट ब्रीच आफ़ पीस के जुर्म में 3 साल की श्योरिटी मांग सकता है । ब्रीच आफ़ पीस का क्या अर्थ है, गाली-गलोज हो जाय तो ब्रीच आफ़ पीस हो गया । मैंने देखा है कि मैजिस्ट्रेट कभी इस की गहराई में नहीं जाता, सब-इंस्पैक्टर ने कह दिया कि ब्रीच आफ़ पीस हो गया है, फौरन 3 साल की श्योरिटी मांग लेते हैं । इस लिये मैं समझता हूं कि माननीय मंत्री जी को मधु लिमये जी के संशोधन मान लेना चाहिये । मधु लिमये जी कहते हैं कि एक साल कर दिया जाय, मैं कहता हूं कि एक साल की भी क्या जरूरत है ? बदमाश आदमियों के खिलाफ़ नोटिस जाता है. अच्छे आदमियों को नहीं जाना चाहिये, इस लिये एक साल मानना भी अच्छा है । आप अपने अन्तरंग से पूछिये कि क्या यह ठीक है कोई भी नहीं चाहता कि इस तरह से तीन साल की श्योरिटी मांगी जाय । मैं आप से अनुरोध करता हूं कि इस को मान लें ।

श्री भोगेन्द्र झा : उपाध्यक्ष महोदय. जहां तक इस धारा का सवाल है, वह शान्ति भंग करने के लिये है. शान्ति की रक्षा के लिए नहीं है । अगर किसी पर जुर्म साबित हो जाता है उस हालत में जेल के बदले उस से श्योरिटी मांगी जाती है । आम तौर से यह कानून नावालिगों के लिये इस्तेमाल किया जाता था, लेकिन अब तो जेल के बाद, कन्विक्शन के बाद भी उस से मांगी जायगी । इस लिये मेरा विचार है कि इस का उद्देश्य शान्ति रखना नहीं है । जहां तक 3 वर्ष की अवधि का सम्बन्ध है. यह बहुत अधिक है, इस लिये जो 1 वर्ष की अवधि का सुझाव है, मंत्री जी को उस से असहमत नहीं होना चाहिये, इस को मान लेना चाहिये, इस से शान्ति भंग नहीं होगी ।

MR. DEPUTY-SPEAKER: In order to facilitate discussion, I want a clarification before the Minister replies. The Minister has just now made the remark that he was not going to accept any amendment....

SHRI S. M. BANERJEE: He was not serious.

MR. DEPUTY-SPEAKER: ...but, then, he is prepared to listen to the discussion. Now, what I would like

[Mr. Deputy-Speaker]

to bring to the attention of the Minister is this. On the last occasion, a number of amendments were moved by the Government and, naturally, they were accepted by the House, and some amendments moved by the private members from the opposition were also accepted by the Government. Those amendments are again to be put to the House. Would it mean that you are not going to accept those also, that you are not going to accept any amendment? You can clarify that point now.

SHRI K. NARAYANA RAO: Then the provision will remain as it originally stood.

MR. DEPUTY-SPEAKER: He has said that he is not going to accept any of these amendments. So, I want him to clarify the position.

SHRI RAM NIWAS MIRDHA: What I have said was that all the amendments that have now been circulated by the hon. Members to these clauses, I would not be in a position to accept. As you have yourself said at the beginning, all these clauses and the amendments, whether moved by Government or by private members will have to be put to the vote again. I will crave your indulgence and request you to put them so that the clause will emerge out of this as it originally stood.

SHRI BHOGENDRA JHA: I suppose those amendments which were accepted in the last session, they are not going to be opposed by Treasury Benches.

SHRI RAM NIWAS MIRDHA: Clause 106, as was admitted by hon. Members, is for security for keeping of peace on conviction. It is not something which is done to prevent a person from commiting a breach of peace, but it comes in when a court of sessions, or a court of a Magistrate of the First Class convicts a person. The magistrate in this case means a judicial magistrate and not an executive magistrate, as in the other security provision section 107. So all he fears that the hon. Members have are, in my opinion, not well-founded. These provisions will be invoked by the courts in very special circumstances, and for reasons to be recorded thereon. I do not think they are going to be misused. Therefore, I am not in a position to accept any amendment.

SHRI DINESH JOARDER: Who are the persons going to be convicted under this clause. It will be a person who is connected with the political, trade union or peasant movement. They will not be concerned with peace and tranquility. They will be the wrost sufferers under this provision, if you pass it in toto without any amendments.

MR. DEPUTY-SPEAKER: I will now put all the amendments to clause 106 to the vote of the House.

The Amendments Nos. 147, 294, 295, 296, 324 and 325 were put and negatived.

SHRI K. NARAYANA RAO: Last time when we considered the clauses, as you correctly pointed out, some amendments moved by the Government and the opposition were adopted. Am I to understand that we are now going to adopt clause 106, as it originally stood, as originally passed by the Rajya Sabha, without any of those amendments which were adopted last time

MR. DEPUTY-SPEAKER: That is the point. Now there is no amendment to this clause which has been accepted.

The question is:

"That Clause 106 stand part of the Bill."

The motion was adopted.

Clause 106 was added to the Bill.

Clause 107—*(Security for keeping the peace in other cases).*

MR. DEPUTY-SPEAKER: We now take up clause 107.

Mr. Dinesh Joarder, are you moving your rescission motion?

SHRI DINESH JOARDER: Yes.

I beg to move:

"That the decisions of the House in respect of Clause 107 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescind." (314)

MR. DEPUTY-SPEAKER: The question is:

"That the decisions of the House in respect of Clause 107 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescinded." (314)

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, there is only one amendment which is to be moved by Shri Dinesh Joarder.

SHRI DINESH JOARDER: I beg to move:

Page 33, line 33,—

for "one year" *substitute* "three months" (326)

SHRI RAM NIWAS MIRDHA: There is amendment No. 127 which I am accepting.

MR. DEPUTY-SPEAKER: As I said all these amendments will be put to the vote of the House. The only thing is that if the Government wants to accept any particular amendment, they must say that they want a particular amendment to be put separately.

SHRI DINESH JOARDER: I would like to say a few words on my amendment.

Clause 107 says:

"When an Executive Magistrate receives information that any person is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace or disturb the public transquility and is of opinion that there is sufficient ground for proceeding, he may, in the manner hereinafter provided require such person to show cause why he should not be ordered to exective a bond with or without sureties, for keeping the peace for such period, not exceeding one year, as the Magistrate thinks fit."

Here, the provision is different from that of clause 106. An Executive Magistrate on receiving information can ask a person to execute a bond with or without surety for keeping peace for such period, not exceeding one year.

Why one year? In most of the cases, we have seen that for certain activities on both the sides, a breach of peace may occur or an apprehension for a breach of peace may come in. But it does not last long. The tension may be for three or four or five days and, thereafter, the tension subsides and the peaceful atmosphere is restored. Why a period of "one year" has been provided here? A person has got to execute a bond for keeping peace for one year. That means, you are going to curtail his democratic rights, his free movements. That will be a psychological restraint, a psychological curtailment of his democratic rights. That will always play in his mind. So, for one year, he will be in his anxious mood and he will not be a free man if he is to execute a bond for one year. For what purpose? For keeping peace in future. There might be a likelihood of a breach of peace or an apprehension of a breach of

[Shri Dinesh Joarder]

peace. There may be actually no breach of peace. Here it is termed, "When the executive magistrate receives information that any person is likely to commit a breach of the peace or disturb the public tranquility...". No offence is committed; simply there is an apprehension; there might not be a commission of any offence; only for the likelihood that a breach of peace may occur or the public tranquility may be disturbed; for that apprehension, for that likelyhood, a person has got to execute a bond of one year. For one year he will be under a state of suspension from taking all sorts of democratic activities. I submit that, in place of one year, instead of binding down a person for one year for keeping the peace and putting this mental torture on that person—on the last occasion I had moved that this Clause should be omitted entirely or redrafted afresh so that democratic rights may not be curtailed but the House rejected my suggestion; so, I do not repeat those arguments—, instead of one year, the period, at least for the sake of satisfaction of the Government, should not be more than three months. Within three months the entire situation may be changed; peaceful atmosphere may be restored; the reason for the apprehension or likelihood of the breach of peace may be removed. Therefore, 'not more than three months' may be adopted in place of 'one year'. I request the hon. Minister to accept this amendment.

SHRI BHOGENDRA JHA: This is a Clause which, during British rule, was used against freedom fighters and which, thereafter, is being used against the working class; peasantry agricultural labourers and even Government employees. This section is a powerful weapon in the hands of land lords and capitalists and is used against the working class. The recent example is that, in my constituency, a single Lok Sabha constituency, about 7,000 peasants and agricultural labourers are being proceeded against under this section—from one village, about 300 or 400 persons are proceeded against. The only offence committed by them was that they wanted to implement the agrarian reform laws enacted by the ruling Party, passed by Parliament. For that, 7,000 persons in my constituency are being proceeded against in the last three or four or five years. Throughout the country this section has been utilised by the exploiting classes. During discussion in the Select Committee, I was very much delighted, even some Advocates General suggested that this Clause should be done away with; they agreed that this Clause could be deleted. There would be no danger to any law and order if this Clause is deleted because this is not for commission of any offence or crime; this is not for any offence or crime that a person has committed or even is going to commit; there is only information that any person is likely to commit a breach of the peace or disturb the public tranquility or to do any wrongful act that may occasion the breach of peace. Under this, anyone and every one can be included. Money-lenders, landlords and black-marketeers are never proceeded against under this section. Therefore, it will be better if this is done away with. We made efforts in this direction in the Select Committee and outside and also in private discussions, but we have failed.

And the true class character of this government of the capitalist class defending the interests of the exploiters is clear as it is not prepared to delete this section. But the amendment here is to limit it, that is, if there is any apprehension or any danger, and the danger is not for a longer period. So, if this amendment is accepted, I do not think much harm will be caused. Though the Minister says that he cannot accept it, I again request that this amendment be accepted.

श्री आर० वी० बड़े : मान्यवर, जो धारा 107 है यह धारा 106 से भी ज्यादा खतरनाक है। 107 में है कि जब किसी कार्यपालक मैजिस्ट्रेट को इत्तिला मिले कि

सम्भाव्य है कि कोई व्यक्ति परिशान्ति भंग करेगा . . . ।

Here Sec. 106 is the Sessions Judge or the Magistrate of the First Class. But here it is the Executive Magistrate.

हमारे यहां तहसीलदार होते हैं या एग्जीक्यूटिव मैजिस्ट्रेट होते हैं, उन के हाथ में जूडिशियल पावर देना ठीक नहीं है। अगर उन को सम्भावना मात्र हो कि किसी व्यक्ति के रहने से खतरा है तो उस से कह सकता है कि उस की जमानत क्यों न ली जाये। मैं समझता हूं कि इस प्रकार का सैक्सन रखना ठीक नहीं है। मान लीजिये कोई घेराव करने के लिए गया तो वह 107 में बन्द हो गया। जमानत दे 6 महीने की या एक साल के लिए। और अगर जमानत नहीं देता है तो उसे जेल में जाना पड़ेगा। इसलिए इस में जो लिखा है।

जब किसी कार्यपालिका मैजिस्ट्रेट को इत्तिला मिले कि सम्भाव्य है कि कोई व्यक्ति परिशान्ति भंग करेगा या लोक प्रशान्ति विक्षुब्ध करेगा . . . या यथा पूर्वोक्त कोई सदोष कार्य करेगा . . जिस कोडिफाइन नहीं किया है, इसलिए माननीय जोरदर के संशोधन का मैं समर्थन करता हूं।

SHRI SAMAR MUKHERJEE (Howrah): I myself was a victim of this Section, Section 107 during the British period and I was convicted and sentenced to one year imprisonment. This is such a section which will be used by the Government against all of us.

SHRI RAM NIWAR MIRDHA: This clause was debated extensively in the House as also in the Joint Committee and the consensus was that the clause, as amended, at various stages, should stay. It will be very difficult to delete it or to accept the amendments. The fears of the hon. Members are not correct because there are a lot of safeguards that have been provided now. The clause, as at present drafted is a considerable improvement on the previous one and therefore, the fears that have been expressed here are not justified. I am not in a position to accept the amendments.

MR. DEPUTY-SPEAKER: Now, I will put amendment No. 127 of Mr. Gautam to the vote of the House. The question is:

Page 33, line—32,—

Omit "with or without sureties," (127).

The motion was adopted.

MR. DEPUTY-SPEAKER: Now I will put the rest of the Amendments Nos. 118, 136, 148 149, 150, 194 and 326 to the vote of the House.

Amendments Nos. 118, 136, 148, 149, 150 194 and 326 were put and negatived.

MR. DEPUTY-SPEAKER: Now the question is:

"That Clause 107. as amended, stand part of the Bill."

The motion was adopted.

Clause 107, as amended, was added to the Bill.

SHRI BHOGENDRA JHA: I Hope this will be deleted from the following clauses, and consequential changes will be made accordingly.

SHRI RAM NIWAS MIRDHA: We are considering clause by clause. We will see when we come to the clause.

MR. DEPUTY-SPEAKER: It is quite obvious. If any amendment is accepted, any consequential change flowing from that unless it is particularly negatived by a decision of the House, follows. We have many other amendments to consider. Certain amendments are negatived, and because they are negatived they are not there. Now, so far as Mr. Jha's point is concerned, any consequential matter, flowing from the amendments accepted by the House, I think, is obvious.

SHRI RAM NIWAS MIRDHA: Not in a way to affect the other clauses.

Clause 108—(Security for good behaviour from persons disseminating sections matters.

MR. DEPUTY SPEAKER: We will now take up Clause 108. There are two rescinding motions. Shri Madhu Limaye, Shri Joarder. Shri Joarder's amendment is the same as Shri Madhu Limaye's amendment, that is No. 289.

SHRI MADHU LIMAYE: I beg to move:

"That the decisions of the House in respect of Clause 108 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescinded." (289)

MR. DEPUTY-SPEAKER: The question is:

'That the decisions of the House in respect of Clause 108 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescinded." (289).

The motion was adopted.

MR. DEPUTY-SPEAKER: There are two new amendments No. 298 and No. 327. You may move them.

SHRI MADHU LIMAYE: I move No. 298.

I beg to move:

Page 34, line 11,—

Omit "with or without sureties," (298).

SHRI DINESH JOARDER: I move No. 327.

I beg to move:

Page 34,—

after line 19, *insert*—

"(3) Notwithstanding anything contained in sub-clause (1) (i) (a) of his section no proceedings shall be taken under this section on any matter, the publication of which is punishable under section 124A of the Indian Penal Code." (327).

Sir, on the last occasion we have discussed that under Clause 108 you are going to prohibit a free and fair criticisim against the Government also. That means you are not very willing to hear criticisms from the opposition parties in Parliament. The same was the position not only in Parliament but outside also. Publicly you are not going to hear any opposition or any criticism against the Government. What is written in Clause 108? I will read this.

"108 (1) When a judicial magistrate of the first class receives information that there is within his local jurisdiction any person who within or without such jurisdiction—

(i) either orally or in writing or in any other manner disseminates or attempt to disseminate or abets the dissemination of—

(a) any other matter the publication of which is punishable under Section 124A or Section 153A, or Section 153B or Section 295A of the Indian Penal Code...."

In my previous amendment I suggested that this clause should be redrafted and the prohibitive wordings should be omitted. I am not going to discuss the merits of the previous amendment which I moved on the last occasion. I only want to voice my objection to Section 124 A of the Indian Penal Code where the proviso is made that the judicial magistrate within or without his jurisdiction may order that the person shoud be pinned down and he should be brought under this clause accordingly be punished.

Here 'the criticism against Government' is the term used. If you can get me the Indian Penal Code book I shall read out the concerned section. Under Sec. 124A of the I.P.C. the terms used 'criticism against Government or criticism made in the manner'. The term used under clause 108 (i) are:

> 'disseminated or attempts to disseminate or abets the dissemination of,....'

This is an objectionable section. And the term has been incorporated in this clause. In spite of my objection to whatever other objectionable provisions that are there under Clause 108, I want to be more concise, namely, that at least the Government should accept this amendment and omit this wording. There is also a very damaging provision in Section 124A. Therefore I request that my amendment may be accepted.

> 'Notwithstanding anything contained in sub-clause (i)(a) of this Section, no proceedings shall be taken under this Section on any matter the publication of which is punishable under Section 124A of the Indian Penal Code.'

If I have the IPC I would read that out from there. In the Indian Penal Code there is no word like 'State'. You are going to prohibit any criticism against the State; even against the Government you won't tolerate the criticism. That means we won't be allowed to criticise the policy of the Government inside as well as outside this House. In that case, you will, under clause 108, bind us. Is it democratic? In spite of 26 years' of independence,, are you going to bind us under this clause? You say you are following the socialist countries like Soviet Russia and others; you say you are going to have socialism in our country. You should have tolerance for a fair criticism against the Government. This should be allowed.

I vehemently object to this wording and I expect that the Minister will please accept this amendment.

श्री मधु लिमये : उपाध्यक्ष महोदय, बात बिलकुल सीधी है । लोकतंत्र में सरकार बदलने का और सरकार के खिलाफ हवा बनाने का हमारा मौलिक अधिकार है। लेकिन राज्यद्रोह और सरकार-द्रोह में फर्क करना चाहिए। हम लोग सरकार-द्रोही हैं और रहेंगे। लेकिन इस का मतलब यह नहीं है कि हम राज्य-द्रोही या राष्ट्र-द्रोही हैं। मगर ये लोग व्यक्ति, पार्टी, सरकार, राज्य और राष्ट्र, के भेद को भूल गये हैं। ये एक व्यक्ति को पार्टी मानते हैं, उसी को सरकार मानते हैं, उसी को राज्य मानते हैं और उसी को राष्ट्र के समान समझते हैं। श्री मिर्धा से मेरी प्रार्थना है कि जिस धारा के तहत लोकमान्य तिलक और महात्मा गांधी जैसे भारत माता के महान सपूतों को अंग्रेजों ने तंग किया था, कम से कम उस धारा को उन्हें नहीं रखना चाहिए ।

श्री आर० वी० बड़े : उपाध्यक्ष महोदय, धारा 108 में कहा गया है :

"(1) जब किसी प्रथम वर्ग न्यायिक मजिस्ट्रेट को इत्तिला मिले कि उसकी स्थानीय अधिकारिता के अन्दर कोई ऐसा व्यक्ति है जो ऐसी अधिकारिता के अन्दर या बाहर—

[श्री आर० वें० बड़े]

() कोई ऐसी बात जिस का प्रकाशन भारतीय दंड संहिता की धारा 124क या धारा 153क या धारा 153ख या धारा 295क के अधीन दंडनीय हैं, ... "

तो मैजिस्ट्रेट उस व्यक्ति को शोर्टी के साथ या उस के बिना बांड एक्सीक्यूट करने के लिए कहेगा। इस का अर्थ यह है कि मजस्ट्रिट केवल आशंका होने पर ही यह कार्यवाही कर सकेगा। उदाहरण के लिए मैं जनसंघ का सदस्य हूं। अगर मैंने जनसंघ का प्रचार किया, तो मजिस्ट्रेट कहेगा कि तुम शासन के खिलाफ बोलते हो, इसलिए तुम इस धारा के अधीन दन्डनीय हो। जब संविधान के अनुसार हमको शासन को बदलने का अधिकार है, तो फिर इस प्रकार का बंधन ठीक नहीं है। इसलिए मैं श्री जोरदर के संशोधन का समर्थन करता हूं।

SHRI DINESH JOARDER: For the information of the House. . .

MR. DEPUTY-SPEAKER : He cannot make a second speech.

SHRI DINESH JOARDER : Just for the information and knowledge of the House, I want to read out what is contained in section 124A of the IPC. It reads thus:

> "Whoever by words, either spoken or written, or by signs or by visible representation. or otherwise. brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in India, shall be punished with imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years to which fine may be added, or with fine.".

We are fighting against this clause in the joint Committee which is considering the Bill to amend the IPC. The House has taken note of this pernicious section 124A of the IPC, and in the Joint Committee, Members are going to have a fight against this section. But here that sort of pernicious provision has been incorporated in this clause. . . .

MR. DEPUTY-SPEAKER: Now, he has started making a second speech.

SHRI DINESH JOARDER: You will realise what fear we have in our mind because all ends of criticism against Government are going to be curtailed by this provision.

SHRI K. NARAYANA RAO: The entire criticism is based on two false assumptions.

The first assumption is that it is always the Congress which is going to be in power all over the country at the Centre as well as in the States. That is not true. The Opposition Parties which are opposing this provision today may be occupying the Treasury Benches tomorrow. This statute is a permanent statute, whoever may be in power. Therefore, that criticism is untenable.

The second misconception is this: This power has been given to a judicial magistrate. It is an accepted principle in the Constitution that there shall be separation of judiciary from the executive. Therefore, the assumption that a judicial magistrate will always side with the Government is not correct. Hence, the entire criticism is misplaced.

श्री भोलेन्द्र झा : उपाध्यक्ष महोदय, मेरे विचार में 124ए भारतीय संविधान के प्रतिकूल है। । हमको न सिफ सरकार को बल्कि राज्य व्यवस्था को भी, पूरी तरह से चलाने का अधिकार है। हमको एक संविधानिक तरीके से संविधान को बदलने का अधिकार है। इसी लिए लोक सभा को समय से पहले भंग किया गया था और हम लोग इस मद्दे को लेकर मतदाताओं के सामने गये थे कि जन हित, देश हित और लोक हित में संविधान की

मूल धाराओं को भी बदला जा सके । हम पूंजीवादी राज्य व्यवस्था को बदलना चाहते हैं, क्योंकि चाहे मिनिस्टर देवता ही बन जाये, चाहे कार्ल मार्क्स प्रधान मंत्री बन जायें, और सभी तरीके वही रहे, तो गरीबी मिटने वाली नहीं है । केवल सरकार को ही बदलने का सवाल नहीं है, हम को राज्य व्यवस्था को भी बदलने का अधिकार है । और उसको प्यार का प्रचार करके नहीं, बल्कि घृणा का प्रचार करके बदलना होगा ।

इस लिए 124 ए जनतंत्र विरोधी है, संविधान विरोधी है । इसी सवाल को लेकर 1969 के बाद देश में इतना भारी संघर्ष हुआ और इसी सवाल को लेकर लोक सभा को समय से पहले भंग किया गया । अगर कोई इस काम को हिंसात्मक ढंग से करना चाहता है, तब यह बात समझ में आती है ।

मैं यह भी निवेदन करना चाहता हूं कि आई० पी० सी० के संशोधन के लिए सिलेक्ट कमेटी बैठी हुई है । इस लिए जब तक उसके द्वारा फैसला न हो जाय, तब तक इस इलाज को रोक रखने के लिए मंत्री महोदय को सहमत हो जाना चाहिए, वर्ना उन्हें फिर संशोधन के लिए आना पड़ेगा ।

जैसा कि मैंने कहा है, 124ए जनतंत्र के प्रतिकूल है । देश में परिवर्तन लाने में पिछले चार साल में मंत्री महोदय का भी हाथ रहा है । यह धारा उसके भी प्रतिकूल है । विरोधी पक्ष में जो भी लोग होंगे, वे सरकार की गलत कार्यवाहियों के खिलाफ घृणा का प्रचार करेंगे ही । प्यार का प्रचार नहीं करेंगे । जो महंगाई है, चोरबाजारी है इस के लिए मालाएं नहीं पहनाई जायेंगी । सरकार की निन्दा की जायेगी । ऐसी स्थिति में और खास कर जब आई० पी० सी० के लिए पेंडिंग है तो मैं आग्रह करूंगा कि जब तक पेंडिंग है तब तक जोर देकर इस को पारित न करायें जिस में कुछ महीने के बाद फिर हमें इसे बदलवाने के लिए आना पड़े ।

SHRI P. G. MAVALANKAR (Ahmedabad): I want to suggest that the whole cl.108 should have been completely scrapped. If Government cannot go to that extent, let them at least be receptive to democratic ideas and democraic practices which, they say, are well-established in our country since independence. If opposition to Government is equated with opposition to the State, it is going completely contrary to the whole idea of democratic polity. As my hon. friend, Shri Limaye, rightly said, from the time of Lokamanya Bal Gangadhar Tilak to that of Mahatma Gandhi and further on, our leaders have continuously said, at the time of British regime here, that although we were opposing the Goverment we were being loyal to the community at large, because obedience to Government is not obedience to the whole community or the state. It is possible that sometimes in order to be loyal to your own community, you have to oppose the government teeth and nail. completely. Therefore, this clause is a most pernicious and dangerous doctrine.

Shri Mirdha is a very liberal and democratic-minded person, very amenable to reason. I would like him to reconsider this very seriously because to have this kind of provision in the statute book in 1973 does not only not speak well of ourselves but is a great shame and disgrace on the Congress Government, because while putting it in the statute-book, in the same breath we say that we are a free democratic country.

I also want to say that our Constitution has given us a series of fundamental rights under the chapter on fundamental rights, like freedom of speech, freedom of expression, freedom of association, freedom of the press and so on. All these rights become almost meaningless if you say that because you are opposing Government, therefore, you will be punished. From the time of Socrates onwards till today, we have seen, and

[Shri P. G. Mavalankar]

seen with advantage and value, that quite after it is the rebel who oppose the government at a particular time or moment who does a service to the entire world for all time to come. Such rebels must be respected.

I would, therefore, appeal to my friend to see the logic involved in the whole thing and at least accept this amedment which only means not going the whole way but getting rid of 124A of IPC so that we go at least in the right direction. Otherwise, I am afraid that we shall be agreeing with the view that opposing the government means opposing the state and we shall have to say that what Government preach they do not practise.

SHRI DINESH JOARDER: You keep all other sections 153A, 153B, 295A, but only omit these two words 124A.

SHRI RAM NIWAS MIRDHA: There is no denying that the Opposition parties have the right to change the government through constitutional and legal means. But there is a lot of misconception about the scope of s.124A. The situation is not as a characterised by hon. members. Mere dissent, mere opposition or criticism of Government is not punishable; that is not the case. This has been examined by the Supreme Court...

SHRI BHOGENDRA JHA: Against the Supreme Court, we have gone to the electorate.

SHRI RAM NIWAS MIRDHA: The Supreme Court has clearly definde the limits of 124A and has restricted it to cases where 'the words written or spoken have the pernicious tendency or intention of creating public disorder". So this clause is not meant to and it had never been intended to suppress legitimate political activity of the Opposition parties. They can criticise and they can oppose the policies of Government. In fact, we welcome that role, but everything has to be done in a constitutional and legal manner.

SHRI P. G. MAVALANKAR: How do you qualify 'legitimate'?

SHRI RAM NIWAS MIRDHA: The Supreme Court and other courts have thrashed out this question fully. They have laid down the limit under which the law operates. They have clearly said that mere dissent or criticism is not punishable.

SHRI DINESH JOARDER: We have the experience of the Supreme Court's rulings being overruled after a few years. The interpretation of the Supreme Court today may not stand tomorrow when another set of judges will come in. That is the experience. We have discussed and deliberated in the House on this matter in some other connection. So only with the help of a certain interpretation will you justify the inclusion of 124A? What is the wording of the clause itself? It is very clear.

SHRI BHOGENDRA JHA: What is the wording in clause 124A. Please read it.

SHRI RAM NIWAS MIRDHA: I have read it, and we have to accept the repeated judgments of the various courts, and I have quoted the Supreme Court of India. If they change their opinion, it is open to Parliament also to change its opinion.

SHRI BHOGENDRA JHA: The other Bill is pending before the Joint Committee. Why can't we withhold this clause 124A?

MR. DEPUTY-SPEAKER: Order, please. Any amendment that has to be put separately to the House?

श्री मधु लिमये : अध्यक्ष महोदय, मेरा एक प्वाइंट आफ आर्डर है । मंत्री महोदय ने अभी सुप्रिम कोर्ट के लिए निर्णय का आधार

लिया क्या मंत्री महोदय इस बात से इन्कार कर सकते हैं . . .

SHRI K. NARAYANA RAO: How can there be a point of order?

SHRI MADHU LIMAYE: Are you the Deputy-Speaker? You are not the Deputy-Speaker.

PROF. MADHU DANDAVATE (Rajapur): Don't be a deputy to the Deputy-Speaker!

श्री मधु लिमये : क्या आप सभापति हैं ? आप बैठिए जरा शान्ति से ।

मेरे कहने का यह मतलब था कि सुप्रीम कोर्ट ने 124-ए का जो भाष्य किया है उस को कहते हैं रीडिंग डाऊन दि प्रविजन । तो अब जब आप को मौका मिला है उसको सुधारने का तो सुप्रीम कोर्ट के जजमेन्ट की ही रोशनी में इस को हटा सकते हैं । वास्तव में सुप्रीम कोर्ट ने क्या किया ? सुप्रीम कोर्ट ने इसको रीड डाउन किया । सुप्रीम कोर्ट इस में बाधा नहीं डालता इसमें ।

SHRI RAM NIWAS MIRDHA: There is no question of reading down any provision. What the Supreme Court has done is to give it a natural interpretation and we abide by it.

MR. DEPUTY-SPEAKER: As far as I understand the Government, it is only this: that is interpreted by the Supreme Court, and they see no reason to change it. If some other interpretation is there, then of course a review, a reconsideration can always be there. Now, any amendment that any Member wants to be put separately?

SHRI MADHU LIMAYE: No.

MR. DEPUTY-SPEAKER: I shall now put all the amendments to clause 108.

Amendments Nos. 137, 151, 152, 153, 154, 298 and 327 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That the clause 108 stand part of the Bill."

The motion was adopted.

Clause 108 was added to the Bill.

Clause 109—(*Security for good behavior from vagrants and suspected persons.*)

MR. DEPUTY-SPEAKER: There are rescission motions, Nos. 290 and 316.

SHRI MADHU LIMAYE: I beg to move:

"That the decisions of the House in respect of clause 109 to the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha and the amendment moved thereto, made on 30th August, 1973 be rescinded." (290)

MR. DEPUTY-SPEAKER: Rascission motion No. 316 is the same as 290. I shall now put Shri Madhu Limaye's motion. The question is:

"That the decisions of the House in respect of clause 109 to the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendment moved thereto, made on 30th August, 1973 be rescinded." (290)

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, there are two new amendments to clause 109: No. 299 by Shri Madhu Limaye and No. 329 by Shri Joarder.

SHRI MADHU LIMAYE: I move:

Page 34 lines 25 and 26, *omit* ", with or without sureties," (299).

MR. DEPUTY-SPEAKER: 328 is the same as 299 of Shri Madhu Limaye.

SHRI DINESH JOARDER: I move:

Page 34, line 27,—

for "one year" *substitute* "three months". (329)

[Shri Dinesh Joarder]

I first speak on amendment No. 328. It is a simple amendment. Previously we have requested the Minister to accept the consequential changes also in other clauses. Clause 109 reads as follows:

"When a Judicial Magistrate of the first class receives information that there is within his local jurisdiction a person taking precautions to conceal his presence and that there is reason to believe that he is doing so with a view to committing cognizable offence, the Magistrate may, in the manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with or without sureties, for his good behaviour for such period, not exceeding one year, as the Magistrate thinks fit."

In one amendment, I have requested that this wording, "with or without sureties be omitted. As you have already accepted that amendment in the foregoing clauses, you should also accept the changes in this clause also and omit the words "with or without sureties." That is about my amendment No. 328.

In regard to No. 329 also, I repeat the same argument which I have put forward in the case of clause 107—executing a security bond for keeping the peace not exceding one year. Here also it should not be more than three months. I have also limited the period. I do not want to repeat the arguments. I therefore request the hon. Minister to accept these two amendments.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरे दो संशोधन हैं—मैं चाहता हू—परसनल बांड अगर रखना है तो रखें, लेकिन श्योरिटीज (जमानत) हटा दें और तीन साल की जगह एक साल रखें। इतना मान लें।

MR. DEPUTY-SPEAKER: It has been brought to my notice that there might be certain amendment adopted in one clause which might be negatived by other amendments in other clauses. A little while ago, I had mentioned about the consequential effect of the adoption of a particular amendment. I would ask the hon. Minister to look into this matter carefully, wherever he finds that there is an amendment which he does not want to accept, he should see whether a similar one has not been accepted or adopted. Otherwise it becomes a hotch-potch of a Bill, if we agree to an amendment at one stage and negative it to another stage. Any way that is the responsibility of this House, and particularly the responsibility of the Minister because he is piloting the Bill. Amendment No. 24 has been moved by the Government. I shall put it to the vote of the House.

The question is:

Page 34, in the marginal heading, *omit* "vagrants and" (24)

The motion was adopted.

MR. DEPUTY-SPEAKER: I shall put the other amendments to clause 109, to the vote of the House.

Amendments Nos. 299 and 329 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 109, as amended, stand part of the Bill."

The motion was adopted.

Clause 109, as amended, was added to the Bill.

Clause 110—(*Security for good behaviour from habitual offenders.*)

MR. DEPUTY-SPEAKER: There is a motion for rescinding.

SHRI MADHU LIMAYE: I beg to move:

"That the decisions of the House in respect of Clause 110 of the Code of Criminal Procedure

Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 31st August, 1973 be rescinded." (291).

MR. DEPUTY-SPEAKER: The question is:

"That the decisions of the House in respect of Clause 110 of the Code of Criminal Procedure Bill, 1972 as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescinded." (291).

The motion was adopted.

MR. DEPUTY-SPEAKER: There are a number of amendments to clause 110.

SHRI MADHU LIMAYE: I beg to move:

Omit, "with sureties" (300)

Page 35, line 15,—

for "three years" substitute "one year". (301)

SHRI DINESH JOARDER: I beg to move:

Page 34, line 41,—

after "breach of the peace" *insert*—

"and which do not come under purview of any section in Chapter VIII of the Indian Penal Code," (336)

In clause 110, there is wide-ranging jurisdiction. It says that "when a Judicial Magistrate of the first class receives information that there is within his local jurisdiction a person who.....habitually commits or attempts to commit, or abets the commission of, offences, involving a breach of the peace....", he can take certain action.

15.55 hrs.

[SHRI SEZHIYAN *in the Chair*]

Here again, the same question has been brought in. We are afraid of these wordings. In the last session, we have put forward many amendments to this clause and we also suggested that certain type of offences shoud be omitted from this cause and new types of offences should be included. Sub-clause (f) says:

"Habitually commits or attempts to commit or abets the commission of—

any offence under one or more of the following Acts, namely:—

(a) the Drugs and Cosmetics Act,

(b) the Foreign Exchange Regulation Act,

(c) the Employees' Provident Fund Act,

(d) the Prevention of Food Adulteration Act,

(e) the Essential Commodities Act,

(f) the Untouchability (Offences), Act;

(g) the Customs Act."

We want to incorporate similar other economic offences which have been left out from the provisions of this clause. Now, we want to be more concise. I have said in my amendment that the words "habitually commits, or attempts to commit or abets the commission of, offences involving a breach of the peace" should be omitted. Chapter VIII of the Indian Penal Code provides for punishment for breach of the peace and tranquality. As we have said in regard to clauses 106 and 107, habitual robbers or receivers of stolen property etc. will not be the victims of this clause. The victims will be political workers, trade union workers and democratic people who have taken a vow to restore the democratic rights of the people. They will be the victims under "habitually commits or attempts to commit or abets the commission of offences, involving a breach of the peace". So, I want that the minister should specifically mention that those who do not come under the purview of the offences mentioned in Chapter VIII of Indian Penal Code will be excluded from the provisions of this clause.

श्री मधु लिमये : सभापति महोदय, जो समाजद्रोही लोग हैं, और उन के द्वारा जो कानून का उलंघन होता है उन उलंघनों को इस दफ़ा के तहत लाने का प्रयास किया गया है, लेकिन, सभापति महोदय, मैं जानता हूं, जैसे एम्पलाइज प्रावडेन्ट फण्ड एक्ट के तहत एक श्री झाड़बुके थे, जो कांग्रेसी नेता थे, एम० एन० ए० थे, उन्होंने बार्शी की एक मील में भविष्य निधि की करोड़ों रुपये की चोरी की .....

श्री मणिराम गोदरा (हिसार): उनका नाम नहीं लेने देंगे । क्या कांग्रेस का नाम लेते हैं.....

श्री मधु लिमये : क्या आप उन के बारे में जानकारी रखते हैं ?

श्री मणिराम गोदरा : क्या आप रखते हैं ?

श्री मधु लिमये : बिलकुल रखता हूं, इसी लिये कह रहा हूं । मैं बंसी लाल के बारे में नहीं कह रहा हूं, आप क्यों गरमा रहे हैं । मैं तो बार्शी की मिल के मालिक के बारे में बोल रहा हूं । मैं बंसी लाल के बारे में नहीं बोल रहा था फिर आप क्यों बोल रहे हैं ? तो उनके खिलाफ़ कभी कोई कार्यवाही नहीं हुई । हमारे बम्बई में मस्तान करके एक बड़ा स्मगलर है जो फोरेन एक्सचेंज रेग्युलेशन और कस्टम रेग्युलेशन्स तोड़ता है लेकिन जुडीशल मैजिस्ट्रेट उसके खिलाफ़ कभी कार्यवाही नहीं करेंगे, बल्कि उसको सेनिमा थियटर्स के लाइसेन्स दिये जाते हैं, 6 सेनिमा थियटर्स के लाइसेन्स उसको दिये गये हैं । (व्यवधान) मैं तो स्मगलर के खिलाफ बोल रहा हूं, फिर ये इसमें क्यों पड़ रहे हैं ? मैंने कांग्रेस पार्टी की बात नहीं कही है, वह कांग्रेस एम० एल० ए० था, यह मैंने कहा है जो सत्य बात है ।

16 hrs.

अनटचेबिल आफेन्स की जहां तक बात है, छूआछूत की बात छोड़िये, उनको तो जिन्दा जलाया जाता है और उसके बाद कोई गिरफ्तारी तक नहीं होती है । इसलिए मिर्धा साहब हमको समझावें कि वास्तव में जो बदमाश लोग हैं, जो समाजद्रोही हैं उन्हीं के खिलाफ़ इसका इस्माल होगा इसकी क्या गारंटी ? क्योंकि असल में होता यह है कि पुलिस जिसको भी पकड़ना चाहती है उसकी जेब में चाकू डाल देती है या कोई कीला डाल देती है और इस धारा के तहत उसके खिलाफ कार्यवाही होती है । इसलिए इन सारी चीजों पर मन्त्री महोदय को सोचना चाहिए और राज्य सरकारों के दबाव में आ कर यह काम नहीं करना चाहिए ।

श्री आर० बी० खड़े : सभापति महोदय, धारा 110 जो है उसका मिसयूज पुलिस के द्वारा किया जाता है और उसके बदले में, पुलिस वाले जो सेन्सर होते हैं उसमें उनको छूट मिलती है । पुलिस वालों को इस तरह से इनाम दिया जाता है । अगर मान लीजिए 100 आफेन्डर्स गिरफ्तार करें दफ़ा 110 में तो पुलिस वाले जो सब-इस्पेक्टर या हेड-कांस्टेबिल होते हैं उनको, जो वे सेन्सर होते हैं उसमें छूट दी जाती है । इसलिए सेक्शन 110 के बारे में पुलिस वाले

बड़े सतर्क रहते हैं और जिन लोगों को पकड़ना चाहिए उनको तो पकड़ते नहीं बल्कि जिनको पकड़ना नहीं चाहिए उनको पकड़ते रहते हैं। जैसा कि मधु लिमये जी ने कहा पुलिस वाले उनकी जेब में छुरा रख देते हैं या अगर उनकी जेब में ताला मिल गया तो पकड़ लेते हैं और कहते हैं कि तुम यह ताला कहीं से तोड़ कर लाये हो। वह लाख कहे कि यह तो मेरे घर का ताला है लेकिन पुलिस वाला यही कहेगा कि नहीं, यह ताला तुम कहीं से तोड़ कर लाये हो।

इसमें लिखा हुआ है "ऐसे अपराध अभ्यासतः करता है या करने का प्रयत्न करता है या करने का दुष्प्रेरणा करता है, जिनमें परिशान्ति भंग अन्तर्ग्रस्त है।" अगर ब्रीच आफ पीस की आशंका हो तो उससे निपटने के लिए क्या मंत्री महोदय धारा 106 और 107 से सेटिस्फाइड नहीं हैं? उसके लिए इस प्रकार अतिक्रमण करने की क्या जरूरत है, यह मेरी समझ में नहीं आता।

इसलिए जोरदार साहब ने जो संशोधन रखा है उसका मैं समर्थन करता हूं और मंत्री जी से कहना चाहता हूं कि इसमें यह जो (ङ) है उसको कम किया जाये।

SHRI K. NARAYANA RAO: Shri Bade is labouring the point of arrest by police officers. Unfortunately, he has not read a particular clause which relates to that. I had a feeling that probably the powers that are conferred on the judicial magistrates are much wided than the real social circumstances warrant.

Then I have my objection for the distinction made between two clauses here. In sub-clauses (a) and (b) the term is "by habit" whereas in sub-clause (c) it is "habitually protects". There is a subtle distinction between the two concepts. To say that one is habitually committing an offence, the magistrate has to prove that there are some previous convitions. There again there is some difficulty. How many times should a person be convicted for a competent magistrate to consider him a habitually committing person? That again is a difficult thing to understand. If you use the term "by habit" you are giving greater subjective satisfaction to the judicial magistrate without any basic fact for the appreciation of the offence. From this angle, if one is a habitual robber the law should take care of it. If he commits a theft, there is the police to look after that. Why should you use this term? Therefore, you are putting a premium on the inadequacy and incompetence of the police people and your investigation authority. For that, innocent people should not be harrassed.

Another point that I would like to make is in regard to sub-clause (g). It says:

> "(g) is so desperate and dangerous as to render his being at large without security hazardous to the community."

How can you prove "desperate and dangerous"? This is something very funny. Somebody, 'X' or 'Y' or 'Z', has to inform the Judicial Magistrate. On what basis? On what background? On what facts? How can you prove that a person is "desperate and dangerous"? If he is really "desperate and dangerous" in a given situation, let the law take its own course. Let necessary protection be provided. Therefore, I say, these provisions are unrelated to the social conditions existing and they really do not present a problem. But if there is any problem like that, let the law take its own course. For a situation which does not exist, I think, these provisions are, more or less, redundant and are likely to be abused.

SHRI RAM NIWAS MIRDHA: Here, it is the Judicial Magistrate who will exercise necessary powers. We have tried to make some improvements in this clause by including a number of economic offences and white-collar criminals within the ambit of this provision. We have included seven legislations under which we feel all major economic offences are committed. Shri Dinesh Joarder wants to put some more in it. Some of the legislations are State laws In any case, this cannot be a very exhaustive list. In the light of experience that will be gained in the working of this clause, if the State Government so feels, they can bring certain amendments to this clause or we can also think about it at a later stage.

SHRI DINESH JOARDER: You could provide that power to the State Government that they may, whenever necessary and from time to time, include some more new economic offences in this clause.

SHRI RAM NIWAS MIRDHA: A very large number of people will be covered by this. We have provided another sub-clause:

> "any offence punishable under any other law providing for the prevention of hoarding or profiteering or of adulteration of food or drugs or of corruption,"

I think, this makes it quite a comprehensive list. I hope, these new provisions will also be enforced with similar, if not greater zeal by our judiciary so that these economic offenders or white-collar criminals could be brought under the ambit of this law.

With these words, I would request the hon. Members not to press for their amendments and to accept the clause as it is.

MR. CHAIRMAN: Now, I put all the amendments together to the vote of the House.

Amendments Nos. 155, 156, 167, 300, 301 and 330 were put and negatived.

MR. CHAIRMAN: The question is:

"Clause 110 stand part of the Bill."

The motion was adopted.

"Clause 110 stand part of the Bill."

Clause 116—(*Inquiry as to truth of information*)

SHRI BHOGENDRA JHA: I beg to move:

> "That the decisions of the House in respect of Clause 116 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto made on 30th August, 1973 be rescinded." (337).

MR. CHAIRMAN: The question is:

> "That the decisions of the House in respect of Clause 116 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973 be rescinded." (337)

The motion was adopted.

MR. CHAIRMAN: Now, there are amendments Nos. 340, 341, 342 and 343 to be moved by Shri Bhogendra Jha.

SHRI BHOGENDRA JHA: I beg to move:

Page 36, line 12,—

after "Magistrate" *insert*—

"on the basis of new evidence," **(340).**

Page 36, lines 39 and 40,—

omit "unless, for special reasons to be recorded in writing, the **Magistrate** otherwise directs" **(341).**

Page 36, line 40,—

add at the end—

"for extending the inquiry **for a** period of three months" **(342).**

Page 36, line 43,—

for "six months"

substitute—

"two months" **(343).**

With regard to Clause 116, I have to submit that at the stage of Select Committee and thereafter during discussions we had made some improvements in this Section. Here, Sir, some clarification has to be made; otherwise, the amendment which we have accepted will be confusing the courts and the lawyers. I want to draw the attention of the House to sub-clause (3) where it is said that the Magistrate may direct the person 'in respect of whom the order under section 111 has been made to execute a bond with or without sureties'. But section 111 relates to four sections—107, 108, 109 and 110. In clause 116, section 111 is mentioned. So that will be confusing. I request them to delete that part with or without sureties' at least so far as it relates to section 107 because that has already been amended.

The major thing with regard to my amendment is this. It is provided in sub-clause (6):

> "The inquiry under this section shall be completed within a period of six months from the date of its commencement, and if such inquiry is not so completed, the proceedings under this Chapter shall, on the expiry of the said period, stand terminated .... "

That was the decision of the Select Committee—a very reasonable one; because when an apprehension of breach of peace is there, it should be immediately decided and a period of six months is a reasonable period for termination of the proceedings. But here a provision has been added:

> "unless, for special reasons to be recorded in writing, the Magistrate otherwise directs."

For this purpose another proviso has also been added:

> "Where any direction is made under sub-section (6) permitting the continuance of proceedings, the Sessions Judge may, on an application made to him by the aggrieved party vacate such direction if he is satisfied that it was not based on any special reason or was perverse."

My amendment here is that the portion "unless, for special reasons to be recorded in writing, the Magistrate otherwise directs" be deleted. Then they will be obliged to be serious and complete the proceedings within six months. If that portion remains, then the Magistrate will have special reasons and the proceedings will drag on. It is not 'judicial magistrate'. So, we can easily imagine that special reasons can very easily be found for that. So, what is sought to be an exception here will be made a rule. My suggestion is that the portion 'unless, for special reasons to be recorded in writing, the Magistrate otherwise directs' should be deleted and the main part of this sub-clause should remain as adopted by the Select Committee.

Another point is:

> "Provided that where any person has been kept in detention pending inquiry, the proceeding against that person unless terminated earlier, shall stand terminated at the expiry of a period of six months."

So, in practice, it means that a person, if he is not of sufficient means or he is in person, he will have to be in prison for six months for having committed no offence, for having been charged with the commission of no offence, but, simply on the apprehension that probably breach of peace may be caused. He will have to be in prison for six months and then the proceedings shall stand terminated. But, if he actually commits a breach of peace or if he assaults some persons or if he injures some persons, then he will be tried under IPC Sec. 323 or 324 and sentenced to one month or two months or three months imprisonment. But, here, practically it will mean that if you actually commit a breach of peace or if you commit an assault or any violence you will have to be in prison for one month or two months, but apprehending a breach of

[Shri Bhogendra Jha]

peace, you may be put behind the bars for six months. So my submission is: I do not want to put the Minister in trouble, but I feel the Minister also is agreeable and the consensus of the Select Committee on this point at one stage was that the amendment has been accepted. So, my amendment is that the six months period should be brought to two months. I do not say that he has agreed to two months, but upto three months, I think he has already agreed.

MR. CHAIRMAN: Your amendment No. 341 does not read well. It says "for lines 39-40" you simply say 'omit'.

SHRI BHOGENDRA JHA: I will explain that.

In this context if you make that change, then this section will serve the purpose for which the Select Committee has so much discussed and which the Minister himself, while piloting this Bill in the Select Committee and also in the House, did explain. Otherwise, the purpose will be defeated.

So, I submit to the Minister that I have a feeling that he does agree with my amendment—I may be wrong—but there is the pressure of the bureaucracy, the old bureaucracy that is perhaps preventing him to accept my amendment. That is my impression. So, I again request this House and the Minister also to accept my amendments to this clause.

SHRI DINESH JOARDER: In support of the amendments moved and put forth by Mr. Bhogendra Jha, I want to say a few words. I am supporting him. My amendment No. 197 is for reducing it to three months. It is very correct that a person who has not committed any offence, who is not a criminal, who has not been charged with any sort of criminal activities and who has not been brought to trial for determining whether he is a criminal or not, simply because that there may be some apprehension or that he might have committed some offence, simply on the apprehension that person should be ordered to execute a bond for maintaining good behaviour and if he fails to execute a bond he will be sent to the jail. This is the position. Even during the pendency of the proceedings he may also be detained in custody upto six months. I do not know why you should have such a punitive provision in this clause against a person who has not done any offence, but you are doing it simply because he might have committed something whereby you think there is likelihood of something happening or apprehension of something and you put the person behind the bars, curtailing all his democratic rights, all his personal liberties as guaranteed in the Constitution of India.

And this apprehension is by whom? This is by a vindictive police officer or executive magistrate or it may be in collaboration with the joardars, the capitalists, the industrialists, against the trade union workers and with some vengence they act in collaboration with the police and they see to it that the person is sent to the jail, even if he has committed no offence at all.

You are having this sort of provision and you are taking this power for the police officer. My submission is, this is not correct. On the report of the police officer the magistrate will go on taking proceedings against such innocent persons and send them to jail even for not committing any offence. This is a very pernicious piece of law that you are having in Clause 116. So, even if you do not delete all the provisions of this clause, at least you may kindly accept the amendment moved by my friend Mr. Bhogendra Jha. Thank you.

SHRI R. V. BADE: This is not the only thing, Sir. It comes under Clauses 107, 112, 116 and 117. If he fails to furnish security within six months he will be put in jail. For how many days? That is for six

months or eight months or 12 months. What our hon. friend has said is this. He said that 3 months should be put there. The hon. Minister should accept this amendment. The court is 40 miles away from my village Badawani and the accused persons have to go there all the way to give security. They have to give solvency certificate and if the necessary security is not given they are sent to jail. These are the difficulties in the villages and I want to request the hon. Minister to accept this amendment which my hon. friend has brought forward. Thank you.

SHRI RAM NIWAS MIRDHA: I greatly appreciate the spirit that has prompted the hon. Members to move the amendments, and make suggestions. It is exactly in the same spirit that we have made certain amendments in this clause particularly sub-clause (6). It is true that it will not go as far as the hon. Members want it to go but this sub-clause has been newly introduced and we have to make only a cautious beginning. We have said that the proceedings would terminate but we have given discretion to the Magistrate that he can order otherwise. But the magistrate has been asked to give reasons in writing which means he will have to consciously think about it. Those reasons are subject to scrutiny by higher courts. I do hope these provisions would prove greatly beneficial, and exceptions would not be as many as hon. Members think they would be. I hope and I belive that termination would be the normal course and that only in very rare cases exceptions would be made. This exception is necessary.

SHRI BHOGENDRA JHA: Only in exceptional cases, that should be done. Otherwise it will remain a rule.

SHRI RAM NIWAS MIRDHA: There can be some cases in which evidence is not available but other factors relevant to law and order are available. We cannot have a blanket provision. Therefore, I am not in a position to accept the amendment.

SHRI BHOGENDRA JHA: Sub-clause (b) to clause 116(3) is only a temporary measure. It will be confusing if it remains. This should be deleted. There was an amendment to Clause 107 which the House has adopted. And so, a consequential change has got to be made here too.

MR. CHAIRMAN: He is not accepting this.

SHRI BHOGENDRA JHA: If he is not accepting then my point of order still remains. He explained that this will apply to the order against a person in respect of whom order under Sec. 111 has been made. In Sec. 111 it is stated as follows:

> 'When a Magistrate acting under section 107, section 108, section 109 or section 110, deems it necessary.....'

Here 107 is also included. By implication it comes. You may go through the section again.

श्री मधु लिमये : सभापति महोदय, धारा 116 के तहत जो कार्यवाही होगी, धारा 107 के संशोधन के बाद उस में धारा 107 तो नहीं आयेगी न ? जब धारा 107 में से शर्तीज को, जमानत को हटा दिया गया है, तो धारा 116 के तहत जो कार्यवाही होगी, उसमें धारा 107 की कार्यवाही नहीं हो पायेगी । मंत्री महोदय इस का खुलासा कर दें ।

SHRI RAM NIWAS MIRDHA: It is a question of interpretation. I do not think we should go into this at all.

SHRI DINESH JOARDER: Sir, the Minister has not followed us.

MR. CHAIRMAN: You had explained that point. But, the Minister has already replied. We cannot compel him to accept this.

SHRI RAM NIWAS MIRDHA: I take responsibility for this.

SHRI BHOGENDRA JHA: I am only saying that in clause 106, 107 is not mentioned but in 111 you have mentioned section 107. 107 clearly comes. It is consequential and so, I say that sub-clause (b) to clause 116(3) should be deleted.

SHRI B. R. SHUKLA (Bahraich): Clause 106 deals with the procedure for instituting the security proceedings. In this, clauses 107, 108 109 and 110 also come in. Since an amendment has been introduced which has been accepted to this effect that—

> 'if a person who is not in a position to furnish the surety bond for keeping peace, he is only required to execute the personal bond'.

Perhaps, the contention of the hon. Member is that because a provision has been made for letting off a person only on his institution of a personal bond and 116 contemplates the execution of surety bond, there appears to be some anomaly between these two provisions. But I think that the two clauses should be interpreted in such a way as to harmonise each other rather than to create a conflict. If there is already a provision under clause 107 that a person would have the option of executing only a personal bond, it necessarily follows. . .

SHRI BHOGENDRA JHA: That is deleted already. There is no option. That has already been accepted by the House.

SHRI B. R. SHUKLA: Surety may be deleted not in every case; if a person is not in a position. . .

SHRI BOGENDRA JHA: Thas is not the case. It is absolute in clause 107. No surety is required but only a bond. That has been adopted already.

SHRI B. R. SHUKLA: Even then, the execution of the surety bond would not apply to the proceedings under clause 107, because then it would apply to clauses 109 and 110 because in clauses 109 and 110 there is option whether to give a personal bond or a surety bond which has been existing so far, but once the change has been accepted, I think that it should be made clearer by putting in an amendment that in case of proceedings under clause 107, there should be only the execution of a personal bond.

SHRI K. NARAYANA RAO: There is a lot of confusion in this while reading clauses 107, 111 and 116 together. It is the contention of some of my hon. friends that inasmuch as clause 107 makes provision only for execution of a bond without sureties, since this has been referred to in clause 111 necessary changes should be made in clause 116. In sum and substance, this is their contention. But in clause 116 we find the provision 'with or without sureties. If any section requires only bonds and not sureties, then the phrase 'with surety or without surety' covers it. So, there is no anomaly in this matter. It refers to clause 111 and 111 refers in its turn to the relevant clause 107 and clause 106. If in those clauses only bond and no surety is required, that will follow automatically. If clause 107 does not require sureties, that is also in conformity with clause 111 as much as clause 116. So, there is no anomaly or conflict in this.

SHRI DINESH JOARDER: I would only like to mention that this reflects the true character of the hon. Minister. In one line he gives protection to the people but in another line he takes it away. In clause 107 he has agreed to omit the words 'with or without surety' and provide that only a personal bond would apply. But again in

clause 116 he is taking away that relaxation given in clause 107. He is taking away in clause 116 the concession that he had given in clause 107.

MR. CHAIRMAN: The hon. Member's point of view is that there is an inconsistency between clause 107 and clause 116. The hon. Minister has said that there is no inconsistency. Has he changed his view?

SHRI RAM NIWAS MIRDHA: No. No right given under clause 107 or any other clause is sought to be taken away here.

MR. CHAIRMAN: I shall now put amendment No. 119 moved by Shri Shambu Nath to vote.

The question is:

Page 36, line 11,—

for "Pending" *substitute* "After the commencement and before". (119).

The motion was adopted.

MR. CHAIRMAN: Now I shall put all the other amendments, Nos. 169, 170, 196 and 197 moved last time and Nos. 340, 341, 342 and 343 moved this time to the vote of the House.

Amendments Nos. 169, 170, 196, 197, 340, 341, 342 and 343 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 116, as amended, stand part of the Bill".

The motion was adopted.

Clause 116, as amended, was added to the Bill

Clause 125—(*Order for maintenance of wives, children and parents.*)

MR. CHAIRMAN: There is an amendment No. 292. for rescinding.

SHRI MADHU LIMAYE: I move :

"That the decision of the House in respect of clause 125 of the Code of Criminal Procedure Bill 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August 1973, be rescinded". (292)

MR. CHAIRMAN: The question is:

"That the decision of the House in respect of clause 125 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 30th August, 1973, be rescinded". (292)

The motion was adopted.

MR. CHAIRMAN: Nos. 25 and 56 are already moved.

SHRI MADHU LIMAYE: I am not moving No. 302.

SHRI DINESH JOARDER: I am not moving No. 331. I move:

Page 40,—

after line 17, *insert*—

"(cc) his father or mother who is of the age exceeding 55 years, the maintenance of whom shall be the responsibility of the State by way of granting adequate old age pension to them and also where his father or mother is under the age of 55 years, providing jobs and livelihood for whom shall be the responsibility of the State, and the State having failed to discharge its responsibility in both the cases, or". (344)

In clause 125, the provision for giving maintenance to certain persons by a particular person has been put in.

16.37 hrs.

[SHRI S. A. KADER *in the Chair*]

If a person having sufficient means neglects or refuses to maintain his wife, unable to maintain herself or his legitimate or illegitimate child, not

[Shri Dinesh Joarder]

being a married daughter, he has to maintain them. He is doing everything for them. Now it is being made obligatory and default in maintaining his children is punishable. In this case, we are imposing a punitive burden on this particular person. If he fails to bear it, he will be punished. The expression used is 'if any person having sufficient means'. What is the standard of measuring that? By this provision, we are going to place a heavy burden on a poor man. Naturally, as it is today, a person has got to maintain his minor children, even major children who are unemployed thanks to this Congress Government. There are his unemployed major children, his minor children; his wife, and if there is a divorced wife, the divorced wife, and his parents. Now, what is the standard of measurement of sufficient means? If he earns Rs. 500 a month, whether you enact this provision or not, by way of social bondage he shall have to maintain his parents, wife and children. This is no new provision, but what you are going to provide in this clause is you will punish him if he fails to do. You are not going to give him a guarantee of service or any increment in his salary. If a person earns Rs. 500, Rs. 600 or Rs. 700 a month, then he has got to provide for his parents, his wife and, if there is a second wife who had already been divorced, that divorced wife, and his minor children and also the major children who are still unemployed. All this heavy burden you are going to place on him with a punitive clause, providing punishment if he fails to do. I have simply made an honest attempt to give relief to that poor person and to remind the Government of its own responsibility, in regard to what is provided in the Constitution.

You are going to enact in clause 125(d) that:—

> "If any person having sufficient means neglects or refuses to maintain his father or mother, unable to maintain himself or herself, a Magistrate of the first class may, upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, father or mother, at such monthly rate not exceeding five hundred rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate may from time to time direct....."

Here, you have made an obligatory duty on the part of that person to provide for his parents. But what is the duty of the Government? Why do you forget your own responsibility? It has been provided in the Constitution itself. Article 41 states:

> "The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement and in other cases of undeserved want."

Here, in article 41 of the Constitution of India, there is an obligatory duty also on the part of the Government to maintain the persons who have become invalid or lose their job due to old age. Instead of providing the maintenance by the State, by the Government, you are shifting your responsibility, the responsibility of the Government, to a poor person in the criminal laws.

SHRI K. NARAYANA RAO: It is additional to the obligation of the State.

SHRI DINESH JOARDER: How? It is not an addition. When you make an obligatory provision on the part of the son to provide for his parents, you forget your own responsibility. Government forgets its own responsibility.

MR. CHAIRMAN: Are you suggesting that the Government should accept all the responsibility for the matrimonial adventure of a person?

SHRI DINESH JOARDER: No, Sir. I am simply reminding them of this old age provision. My amendment is:

> "Father or mother, who is of an age exceeding 55 years..."

That is the age of retirement. That is the general principle accepted by the Government also,—the age of retirement not only from the Government service but it is a principle that has been adopted. It is the principle that the age of retirement for all sorts of activities and livelihood that a man is undertaking is 55 years. He retires from heavy work at this age of retirement. It is conceded that he becomes old at this age. From 55 onwards it is the responsibility of the Government to maintain that particular man or woman. That is why, I have brought my amendment which reads as follows:

> "his father or mother who is of the age exceeding 55 years, the maintenance of whom shall be the responsibility of the State by way of granting adequate old age pension to them and also where his father or mother is under the age of 55 years, providing jobs and livelihood for whom shall be the responsibility of the State, and the State having failed to discharge its responsibility in both the cases, or"

If you want to incorporate this clause providing an obligatory responsibility on the part of a son to provide for his parents of any age and to give maintenance to them, I want to incorporate by this amendment the responsibility of the Government enunciated in the Constitution of India.

Article 144 of the Constitution says that the State shall give employment to those who are not minors and to those who are adults. If you fail to provide employment, the son is there to bear the burden of the parents, children and diversed divorced wives. By this provision you have made it a curse on earth to be born here. You are going to put such a heavy burden on a single individual. In a free country the State will bear no burden? The State wants to shift all its responsibilities to the poor man. I therefore, want my amendment to be accepted.

श्री स्वामी ब्रह्मानन्दजी (हमीरपुर): सभापति महोदय, मैं बहुत देर से इस वाद-विवाद को सुन रहा हूं। अपराध क्यों होते हैं, इस पर हमें विचार करना चाहिए। आप चाहे जितने कानून बनाते जाइये, ज्यादा कानून बनायेंगे, ज्यादा टूटेंगे। अपराध गरीबी से होते हैं और सारा देश मिल कर गरीबी मिटा सकता है, केवल सरकार नहीं। अगर सरकार के ऊपर सारी जिम्मेदारी है तो सरकार को सारी चीजों का राष्ट्रीयकरण कर लेना चाहिए और सारा इन्तजाम सरकार करे, तब हो सकता है।

मैं जानता हूं—दफा 107 की क्या हालत है? एक दरोगा पैसा लेकर एक पार्टी के पचास आदमियों का नाम लिख लेता है सारे का सारा गांव घूमता है, सब वकील के आगे पीछे घूमते हैं। इस लिये ये जितने कानून हैं, तब तक सफल नहीं होंगे जब तक गरीबी नहीं मिटती। कोई मुट्ठी भरचना उखाड़ लेता है, हथकड़ी डाल कर जेल में बन्द कर देते हैं, लेकिन जो करोड़ों की सम्पत्ति हड़प कर लेता है बड़े बड़े पूंजीपति हैं, बदमाशी करते हैं उन को आप का कानून पकड़ नहीं पाता इस लिये कानून थोड़ा होना चाहिये, मजबूत होना चाहिए और उसका पालन होना चाहिए। जैसे पहले जमाने में चोरी करने वाले के हाथ काट दिये जाते

[श्री ब्रह्मानन्द जी]

थे. परन्तु ऐसा कब होता था जब उनको सारी सुविधाये उपलब्ध थी । एक तरफ एक आदमी भूखा मरता है, सर्दी में ठिठुरता है, दूसरी तरफ एक आदमी के पास करोड़ो रुपयों के कम्बल हैं । अगर सर्दी से मरनेवाला कम्बल चुरा लेता है तो उस पर कानून लागू हो जाता है, लेकिन जिस के पास करोड़ो रूपये के हैं, उस पर कानून लगा नहीं होता ।

बडी मुश्किल से मुझे बोलने का मौका देते हैं म कहता हू कि यह सारी सृष्टि भगवान की है और सारे मनुष्यों को बराबर के अधिकार हैं, हर आदमी को भगवान ने मह दिया है, कान दिये हैं, बाजू दिये हैं ताकि काम करें , हर आदमी काम करे, हर आदमी मेहनत करे। हर आदमी को बराबर भोजन मिले लेकिन मिलता कहां है जो बड़े आदमी हैं वे वकील कर लेते हैं। मैंने एक बार बताया था कि आप गांधी जी के सपने को पूरा करें, आप शराबबन्दी करें, बीड़ी सिग्रेट पीना बन्द करे। अभी शराब के मामले में ही इलाहाबाद में दंगा हो गया और वहां पर कर्फ्यू लगा हुआ है। तो इसमें क्या करेगा कानून जब तक आप नशाबन्दी न करे। इसलिये आप गांधी जी के सपने के असनूार गांव पचायतें बनाये तथा अदालतों और वकीलों को समाप्त करें । वकील भूतों की तरह अदालतों में घूमा करते हैं । तो यह अपराध होते हैं वह कैसे मिट सकते हैं और यह जो कानून है वह तभी काम करेगें जब कि आप सभी लोगों के लिये खाने पीने और कपड़े का इन्तजाम करेंगें यह बात तभी हो सकती है जब यहां पूंजीवाद खत्म होगा । इसलिये आप ऐसे कानून लायें जिससे करोड़पतियों का खात्मा हो । बड़े बड़े जमींदार और राजा तो खत्म हुए लेकिन अब नये नये राजा पैदा हो गए जिनकी दिल्ली में 12-12 कोठियां हैं ।उनकी मोटर मे अगर कोई आदमी कुचल जाये तो भी उनका कुछ नहीं होता है । इसलिये मुझे यही कहना है कि आपको यह देखना चाहिये कि अपराध क्यों होते हैं और उसको इलाज करना चाहिये । अपराध इसीलिए होते हैं कि आप बड़ी बड़ी सम्पत्तियों को खत्म नहीं करते हैं । इन बातों की तरफ आपको ध्यान देना चाहिये

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have submitted a petition on behalf of Laemur Jahan Begum Shahzadi and many other ladies representing Muslim women and the Delhi City Women's Association. This petition deals with section 125 dealing with maintenance order. It is of very special concern to all women, specially Muslim women in the country.

Clause 125(1) of the Bill reads with the relevant explanation provides for maintenance to be paid by a person having sufficient means to a woman unable to maintain herself who has been divorced by or obtained a divorce from such person (husband) and has not remarried, subject to the conditions in the said sections. In substance these provisions give effect, so far as Muslim women are concerned, to the verse of the *Holy Quran* Surah (Chapter) III, Verse (Ayat) 241 which reads as follows:

> "For divorced women, maintenance should be provided on a reasonable scale."

MR. CHAIRMAN: You are translating it from the Arabic?

SHRI JYOTIRMOY BOSU: It is not my translation. It is the translation by Allama Yusuf Ali. I am asking, is the benefit which is defined in the

Holy Quran being properly given? It is not so. The benefit of this clear mandate of the *Holy Quran* has been denied to Muslim women by the judgment of the Privy Council reported as Aga Mohamed's case 1897 ILR 25 Calcutta, at page 9, wherein the Privy Council refused to consider the words of the *Holy Quran* in opposition to the rulings of certain commentators. This ruling overlooked the fact that the *Quran* is the highest source of the Muslim law and its words cannot be abrogated by any commentators. This judgment, which stands unreversed has denied to Muslim women the clear rights conferred by he *Holy Quran* as aforesaid.

The outcome, as we see at present, is indeed pitiable because the *mahr* which is supposed to provide security to women is often much too low. At times it is even denied to such unfortuate persons. The above-mentioned provision of this Bill as passed by Rajya Sabha takes care of this issue in a fair way. The women population of the country, specially the Muslim women, welcome it and it should remain as it is. Let political considerations of the ruling party not bring hardship on the women population of the country, because I am getting an impression that what they are doing today with regard to the provisions of this particular Bill is being done because of the coming U.P. elections. This is much disgraceful. The Prime Minister, being a lady herself, loses sight of this vital thing which concerns the women population in the country. Therefore, I would very respectfully beg of the Government not to lose sight of what I have just now submitted and act without any political consideration in view.

SHRI K. NARAYANA RAO: Our friend was saying that the burden has been shifted to an individual. instead of assuming the burden by the State under the provisions of the Constitution. This relates to matrimonial and traditional family relationship and it has no bearing on constitutional provisions.

I want another clarification. Clause 125(1)(b) says that a wife includes a woman who has been divorced by, or has obtained a decree from her husband and is not re-married. Here I would like to make a distinction between two situations. The grounds for divorce are mentioned in the Divorce Act. If the culpable party is the husband, then the responsibility for maintenance would fall on the husband. But suppose the divorce is due to culpability on the part of the wife? For instance, if the wife suffers from an incurable disease then that is a ground for separation. In such a case the Act rightly puts the obligation on the husband to provide maintenance. Then, for instance, living in adultery is one of the grounds for divorce. Suppose a wife is living in adultery and the husband gets a decree of divorce, do you say that the husband is under obligation to give maintenance? Therefore, I say that a sort of distinction should have been made on the grounds of divorce.

Sub-section (4) of clause 160 says that no wife shall be entitled to receive an allowance from her husband under this section if she is living in adultery. For committing adultery there can be divorce. But suppose she lives in adultery after divorce, what is the position? Therefore, some judicious distinction should have been made between these two situations. Because, there are cases where divorce is obtained because of culpability which is beyond the control of the husband.

SHRI RAM NIWAS MIRDHA: This is a very special provision which applies to some special categories for maintenance. The amendments of Shri Joarder are very wide and they hardly belong to the realm of the Criminal Procedure Code. This Code is hardly the place for giving effect to such sentiments. So, I cannot accept these amendments.

MR. CHAIRMAN: I will now put the amendment of Shri Joarder to the vote of the House.

Amendment No. 344 was put and negatived.

17 hrs.

MR. CHAIRMAN: Now, I put amendment Nos. 25 and 26 to the vote of the House.

The question is:

Page 40, line 28, *after* "child" *add* "if married". (25)

Page 40, line 29, *for* "sub-section" *substitute* "Chapter". (26)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Clause 125, as amended, stand part of the Bill."

The motion was adopted.

Clause 125, as amended, was added to the Bill.

Clause 127—(*Alteration in allowance.*)

SHRI RAM NIWAS MIRDHA: I beg to move:

"That the decision of the House in respect of Clause 127 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, made on 30th August, 1973 be rescinded." (308)

MR. CHAIRMAN: The question is:

"That the decision of the House in respect of Clause 127 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, made on 30th August, 1973 be rescinded." (308)

The motion was adopted.

MR. CHAIRMAN: Clause 127 is open for discussion.

SHRI RAM NIWAS MIRDHA: I beg to move:

Page 42,—

for lines 19 to 23, *substitute*—

"(3) Where any order has been made under section 125 in favour of a woman who has been divorced by, or has obtained a divorce from, her husband, the Magistrate shall, if he is satisfied that—

(a) the woman has, after the date of such divorce, re-married, cancel such order as from the date of her remarriage;

(b) the woman has been divorced by her husband and that she has received, whether before or after the date of the said order, the whole of the sum which, under any customary or personal law applicable to the parties, was payable on such divorce, cancel such order,—

(i) in the case where such sum was paid before such order, from the date on which such order was made,

(ii) in any other case, from the date of expiry of the period, if any, for which maintenance has been actually paid by the husband to the woman;

(c) the woman has obtained a divorce from her husband and that she had voluntarily surrendered her rights to maintenance after her divorce, cancel the order from the date thereof." (310)

I have moved my amendment which is pretty exhaustive and takes care of certain situations. In certain cases under customary or personal law, certain sums are payable to a divorced woman and in case they are paid, the Magistrate's order giving maintenance could be cancelled.

MR. CHAIRMAN: Now, I put the amendment moved by the hon. Minister to the vote of the House....

SHRI JYOTIRMOY BOSU: I would like to a submission. I would have liked the hon. Minister to give his observations and comments on what I had said on the earlier clause. I spoke for millions of women, specially Muslim women, who are put in difficult situation. He should say something about it.

SHRI RAM NIWAS MIRDHA: I will tell you the purpose of this amendment.

As I said, under customary or personal law of certain communities, certain sums are due to a divorced woman. Once they are paid, the Magistrate's order giving maintenance could be cancelled. Now, whether the maintenance should be reasonable or unreasonable, is not the point. The hon. Member has not disputed this. He has said that it should be reasonable and it should be given in that light. I am not in the position of accepting the hon. Member's own view and commentary on the *Holy Quran*.

SHRI JYOTIRMOY BOSU: I quoted the translation as done by Allama Yusuf Ali which reads:

> "For divorced women maintenance should be provided on a reasonable scale."

This is the duty of the righteous, right-thinking person. This is very clear, absolutely clear and crystal clear. The *Holy Quran* clearly lays down that a right-thinking person will give adequate money to the divorced lady to live and survive.

SHRI RAM NIWAS MIRDHA: If that holds good, this provision may not come into operation.

MR. CHAIRMAN: The question is: Page 42,—

for lines 19 to 23, *substitute*—

"(3) Where any order has been made under section 125 in favour of a woman who has been divorced by, or has obtained a divorce from, her husband, the Magistrate shall, if he is satisfied that—

(a) the woman has, after the date of such divorce, re-married, cancel such order as from the date of her remarriage;

(b) the woman has been divorced by her husband and that she has received, whether before or after the date of the said order, the whole of the sum which, under any customary or personal law applicable to the parties, was payable on such divorce, cancel such order,—

(i) in the case where such sum was paid before such order, from the date on which such order was made,

(ii) in any other case, from the date of expiry of the period, if any, for which maintenance has been actually paid by the husband to the woman;

(c) the woman has obtained a divorce from her husband and that she had voluntarily surrendered her rights to maintenance after her divorce, cancel the order from the date thereof". (310)

The motion was adopted

MR. CHAIRMAN: The question is:

"That Clause 127, as amended, stand part of the Bill."

The motion was adopted.

Clause 127, as amended, was added to the Bill.

Clause 144—(*Power to issue order in urgent cases of nuisance or apprehended danger.*)

SHRI MADHU LIMAYE: I beg to move:

"That the decisions of the House in respect of Clause 144 of the Code

[Shri Madhu Limaye]

of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 1st September, 1973 be rescinded." (293)

MR. CHAIRMAN: The question is:

"That the decision of the House in respect of Clause 144 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 1st September, 1973 be rescinded." (293)

The motion was adopted.

SHRI DINESH JOARDER: I beg to move:

Page 47, line 40,—

for "two months" *substitute* "*fifteen* days" (322)

Page 48, line 1,—

for "six months" *substitute* "one month" (333)

Page 48,—

after line 3, *insert*—

"Provided that the order under this section shall not apply to prohibit holding of any political meeting or to any assembly concerning trade union or peasant movements or any other democratic movements." (334)

By Clause 144, the Government is going to curb all sorts of political activities in our country. In the last Session, we have discussed in detail the pernicious provisions that have been incorporated in this Clause 144. We do not want to repeat all those things. Those are already on record and, I think, also in the memory of the hon. Minister. He may fully remember the observations of most of the members of this House. Though, on a mandate from the Treasury Benches, the members of his Party could not vote with us, we know the sentiments of those members. Now I do not want to repeat all those arguments.

Under Section 144, prohibitory orders are made restricting certain activities on the part of an individual or a group of persons and even covering a certain area; a certain place or area also comes under the operation of the order issued under section 144. We have seen that this section 144 is very often used against the political activities. The provisions under this have been used against peasants who, in the course of implementation of land reforms provision, had taken recourse to a joint effort, to a combined effort, to a collective effort, to recover the excess land and distribute the land among landless peasants. Also in the field or trade union activities, labour movements and similar other democratic movements, these provisions under section 144 are very often used by the Government. Recently in West Bengal what we have seen is that, whenever the left leaders were going to hold any meeting in the last two or three months in connection with the West Bengal bandh and other political movements, wherever it was announced that the left leaders, particularly Mr. Jyoti Bosu, would hold a meeting, orders under Sec. 144 are issued then and there. It has happened in Durgapur, it has happened in Burdwan and it was previously invoked in a case where a peasants' conference was going to held at Berhampore. Order under Sec. 144 were issued and the meetings of political parties and the meeting of opposition leaders were prohibited. A meeting to be addressed by Mr. Jyoti Bosu was prohibited under this section. This is the section which is applied where the political parties are going against the interests of the ruling party. So, we have been the victims of these powers given in the hands of the administration, the executive administration, the

Police officers, the District Magistrates and the Sub-Divisional and executive Magistrates, as stated in this clause. It is a wide power that is going to be given in the hands of these Magistrates and the Police to curb the political activities of the opposition. It is a very motiviated clause. It is a very pernicious clause. So, I vehemently oppose the provisions of this clause incorporated in this Bill.

Now, I come to my amendments. The provision is that these orders shall have effect for two months. Why two months? Why such a long period? If you want to place a particular area under orders of this clause, where no meetings or no such assembly or no such activities can be taken up, you can limit the period. If the Government is so insistent on keeping this provision, why two months? You can limit the political tension or apprehension of breach of peace. It does not last long. It does not exist for such a long period. Generally, we see that for a certain reason a tension may be created a political tension may be created or there may be an apprehension of a breach of peace or there may be a likelihood of a breach of peace at a particular moment or at a particular place, but it cannot continue for an indefinite period. It does not continue for such a long period of two months. It subsides within a few days or within a few hours. So, I have suggested that these orders shall have effect for 15 days instead of two months.

With regard to my second amendment, again the power has been given to the State Governments to extend the prohibitory orders against any particular person or a particular place for another six months. If you do no want to delete the entire power of the State Government to enhance the period of the orders, you can at least limit the period to one month. By one month you can have all sorts of precautionary measures. You have those prohibitory clauses, clauses 106, 107, 108, 110 and 116. Applying those provisions, you can bind down two or three persons and restrict the period of such prohibitory orders to one month and during this one month, these precautionary measures are taken. You cannot keep the democratic rights of persons suspended for such a long period. I would request that my amendments must be accepted.

In the last and the third amendment, I have provided that the orders under this section shall not apply to prohibit holding of any political meeting or any assembly consisting of trade union workers or peasants movements or any other democratic movements. I want particularly these activities should be left out of the jurisdiction of this clause because these particular activities are being curbed under this section. Democracy has got certain obligations. Mr. Minister, you are holding an office and you have your apparatus, your machinery, you have the cars, jeeps and the paraphernalia of the Government and so on. Because, you are discharging some obligation to the State. That is there. Democracy itself has certain obligations. These are the meetings, the processions, the demonstrations, the strikes, the trade union movements and political movements which are part of democratic functioning. These are democratic activities and they have got their role to play in any democracy. By incorporating these provisions in the clauses you are taking away such rights, you do not want democracy to function in your own country. You want that different wings of democracy should be brought down. You want it to be a doll to be kept in glass casket and show by that that you are a democratic country. Therefore I vehemently oppose this sort of prohibitive orders. There should be some honest gesture on the part of the Government that democracy should function in this country. That is why I would request the hon. Minister to accept it.

श्री मधु लिमये : सभापति महोदय, यह जो मूल प्रावधान था, उसकी मंशा यह थी कि फिकावराना फसादों या दो समूहों के बीच झगड़ों पर रोक लगाने के लिये इसका इस्तेमाल किया जाए लेकिन इस धारा का 50 साल का इतिहास यह बताता है कि राजनैतिक आन्दोलनों, और लोगों के आन्दोलनों को दबाने के लिये लगातार दफा 144 का इस्तेमाल किया गया है लोकतंत्र की दृष्टि से प्रेस स्वतन्त्रता के लिये प्रीसेन्सरशिप एक बड़ी खतरनाक बात है, प्रिवेंटिव डिटेंशन प्रतिबन्धक नजरबंदी एक बड़ी खतरनाक बात है और उसी तरह सभा और भाषण पर रोक लगाने वाली यह प्रीवियस रेस्ट्रेंट भी लोकतंत्र की हनन करती है।

इस लिये मंत्री महोदय से मेरी गुजारिश है कि अगर वह दफ़ा 144 को रखना ही चाहते हैं, तो में जनता के मौलिक अधिकारों की रक्षा करने की दृष्टि से कुछ परिवर्तनों की जरुरत है ; अगर मंत्री महोदय का कहना है कि अंग्रेजों ने जो कानून बनाये, वे सभी अच्छहैं, तो मुझे कुछ नहीं कहना है। लेकिन, सभापति महोदय, आप बहुत पुराने आदमी हैं और बुजुर्ग आदमी हैं; आप जानते कि जवाहरलाल नेहरू और सुभाषचन्द्र बोस आदि सब नेता दफ़ा 144 की आलोचना किया करते थे। लेकिन जब ये लोग राजा और हाकिम बन गये, तो इन की खोपड़ी में एक आश्चर्यजनक परिवर्तन आ गया। जिस प्रावधान को ये लोग ग़लत गन्दा और लोकतन्त्र-विरोधी समझते थे, अब ये मानते हैं कि उस के बिना सरकार चल ही नहीं सकती है।

इस लिए मैंने कुछ ऐसे सुझाव दिये हैं, जिस से व्यवस्था भी बनी रहे और साथ साथ अन्याय और जुल्म के खिलाफ़ आन्दोलन करने का जनता का बुनियादी अधिकार भी सुरक्षित रहे। इस विधेयक में यह अधिकार सब मजिस्ट्रेटों को दिया गया है। मैं उस का विरोधी हू। लेकिन अगर जिला मेजिस्ट्रेट तक ही यह अधिकार सीमित रखा जाता है, जैसा कि मैंने सुझाव दिया है, और अचानक कोई उपद्रव होता है, तो मैंने बिल्कुल रोक नहीं लगाई है।

मेरा अमेंडमेंट क्या कहता है

No order under this section shall remain in force for more than seventy-two hours in the first instance:

72 घंटे के लिए यह आदेश जारी करें। मतलब तीन दिन हमारी आजादी ये छीनें। लेकिन ये तो पन्द्रह दिन तक उस के बाद और बढ़ाने की बात कर रहे हैं। आगे अगर यह बढ़ाना चाहते हैं और मान लीजिए स्थिति काबू में नहीं आ रही है तो मैंने स्वयं इस में प्रावधान रखा है कि :

'Provided that the District Magistrate may extend the order for a further period of fifteen days after holding public hearings in the manner prescribed on the necessity or otherwise of extending the order."

आज आप अर्ज कीजिए तब उस के ऊपर सुनवाई होगी जैसे कि हम मुजरिम हैं। हमें आजादी क्यों मिलनी चाहिए इसके लिए हम इन के पास भीख मांगने के लिए जाएं। यह मैजिस्ट्रेट को कहना चाहिए कि आजादी पर वह क्यों रोक लगाना चाहता

है उस के ऊपर वह पब्लिक हीअरिंग हो। लेकिन यह सारा उलटा है। इन का हिसाब किताब है। मैं इस के विरोध में नहीं हूं कि डिस्ट्रिक्ट मैजिस्ट्रेट हीअरिंग करे और यदि जनता के द्वारा यह कहा जाता है कि इस आर्डर के एक्सटेंड किए बिना शांति नहीं रहेगी, व्यवस्था टूट जायगी तो डिस्ट्रिक्ट मजिस्ट्रेट 15 दिन के लिए बढ़ाए। लेकिन वर्तमान धारा के तहत जिन की आजादी छीनी जाती है वह गुनहगार है, वह अपराधी है, उन को सफाई देनी है कि हमारी आजादी क्यों बरकरार रहे?

आगे चल कर और दो सुझाव मैंने दिए हैं। इन्होंने सब-क्लाज (4) में जो प्राविजो जोड़ा है क्या जरूरत है? पन्द्रह दिन से भी अधिक 6 महीने तक बढ़ाने का जो प्रोविजन है उसका मैं बहुत विरोधी हूं। साथ साथ मैं यह भी चाहता हूं कि जब मैं संशोधन दे ही रहा हूं तो न० 6 की कोई जरूरत नहीं है। इसलिए संक्षेप में मेरा यह सुझाव है कि चूंकि इस में स्वतन्त्रता के ऊपर प्रतिबन्ध लगाने के बहुत ज्यादा गंभीर अधिकार हैं इसलिए ये अधिकार सब-डिवीजनल मैजिस्ट्रेट को न दे कर केवल जिला मैजिस्ट्रेट को दिए जायें। पहले तीन दिन के लिए आर्डर जारी हो और पब्लिक हीअरिंग के बाद जरूरी समझें तो 15 दिन तक बढ़ाए। 6 महीने तक सभाओं के ऊपर बन्दी, भाषणों के ऊपर बन्दी रहेगी तो लोकतन्त्र चलेगा कैसे? इसलिए इस 6 महीने की बात से तो मैं कतई सहमत नहीं हो सकता। अभी भी मेरी प्रार्थना है कि मंत्री महोदय जिद न करें और हम ने जो बहुत विवेकपूर्ण और सौम्य बातें कही हैं उन को वह मान लें। इस से कोई इन की सरकार टूटने वाली नहीं है और कोई बदइंतजामी होने वाली नहीं है। स्वतंत्रता और व्यवस्था दोनों का समन्वय दोनों का मेल बैठाने का इस में मैंने प्रयत्न किया है।

SHRI P. G. MAVALANKAR: As I was saying earlier in the debate when talking about clause 108 about the security for good behaviour from persons disseminating seditious matters, that that particular clause was dearly contrary to the democratic principles and practices followed in the Republic of India, I would say the same thing with regard to Section 144. At the same time, however, I would like to say that we should not completely get rid of this provision because, there would be occasions like certain disturbances—communal or social or other kinds of mobviolence,—when Government must have the power to meet such occasions and disturbances. But, how can Government, make it an excuse to have a blanket power and prohibit all kinds of assemblies? This is a fundamental question. You will be surprised to know one thing. Nowadays what happens is that everytime you make known or public to the authorities your intention that you want to register a protest against something or the other that happened in the society—either it is a protest against the party in power or against a particular class or community—they prohibit that. Suppose we are doing a march or organising a public demonstration or we hold a meeting. But, before we start doing this, we are told that Sec. 144 is in force.

Earlier this year, on 13th July, I announced and staged a walking march from my Parliamentary Office in the city of Ahmedabad to Raj Bhavan. I wanted to express the public agitation and opposition and anger and disgust against the kind of

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corruption and bribery and all kinds of power-mongering that was going on in the ruling Congress Party in Gujarat.

Therefore, my fellow citizens and I wanted to go to Raj Bhavan, but what happened was this. Before we could reach anywhere near Raj Bhavan, we were prevented from going there. None of us had any arms; non of us used any abusive language; none of us had any intentions to destroy anything, but we were told that section 144 was in force and we should stop there and we could not proceed further, and if at all we wanted to go, we should go in numbers less than four. Why should that restriction have been there? All that we wanted to do was to go to the Governor and present to him a memorandum or rather an impeachment against the power-mongering Ministers and MLAs of my State. Where was our democratic right protected there? After all, we have every right to tell the Governor, or the powers that be, that what is being done is wrong. Even when we had assembled peaceably and without arms and we had assembled quietly and in a dignified way without abusing the right to freedom of speech and without converting liberty into licence, we were deprived of our rights because of this section 144. Not once, not twice, but repeatedly this has been happening.

Then, take another example. Consider what happens right here in our Parliament. Nobody can come nearabout Parliament or around Parliament. Not only can people not come to Parliament House without a proper pass etc. but they cannot even come and meet Members of Parliament who are their representatives and talk to them and complain to them express their grievances or raise their objections against anything. Only this morning, I understood from a friend from Norway that in the Norwegian Parliament in Osle, anybody in the street who happens to go by Parliament House can if he wants to see Parliament get in and see it; no pass is required and there is no watch and ward or anything of that kind. They could just get in. I do not say that we can repeat it here. I understand that there will have to be restrictions here. But at least the people should be allowed to come and meet the Members of Parliament, if not inside Parliament House, at least outside. But we find that in the vicinity of Parliament, always section 144 is in force, and, therefore, there can be no morcha, no procession and so on. Once this provision is going to be on the statute-book on a permanent basis, the psychology would be that people would become more angry, because before a person even thinks of saying and doing something, he is going to be prevented.

I would submit that if democracy is to grow in this country, a certain risk has to be taken. That risk involves also possibilities of certain violence, but Government are armed with all possible information and all possible intelligence and they are equipped with all possible armoury, and even if there is something which suddenly erupts, they can certainly deal with it. But in order to avoid that little risk which is involved, why do they take this power in a blanket form and stop everybody from assembling peaceably?

Finally, I want to invite the attention of the hon. Minister to one other thing. I am sure the Minister knows it. Under our Constitution, article 19 gives the right to various freedoms, and it says:

"Protection of certain rights regarding freedom of speech; etc.:

(i) All citizens shall have the right—

(a) to freedom of speech and expression;

(b) to assemble peaceably and without arms;

(c) to form associations of unions;

(d) to move freely throughout the territory of India;..."

But section 144 has continuosly kept these provisions of the Constitution, particularly sub-clauses (b) and (d) of article 19 of the Constitution in abeyance, sometimes for a period of 15 days and sometimes for months with the result that we have no right to assemble peaceably and without arms or move freely throuhout the territory of India. If occasions arise when people assemble and they use arms or they indulge in violence, Government can certainly take action, and we can quite understand it, because democracy does not mean violence. But democracy certainly means the right of every citizen to organise meetings, to lead morchas or processions and so on as long as they are peaceful and non-violent, however sharp they may be towards the Government in their criticism; you cannot stop them under the Constitution. But section 144 has become such a continuous and permanent weapon in the hands of Government that this has been used to curtail this right. I would ask a simple question. Have Government ever used section 144 when Ministers and other ruling party leaders have addressed meetings? It is only when Opposition parties or Independents and dissenters who oppose this or that policy of Government, organise meetings, that this section is enforced. I can give you many such examples, where Government have stopped people from carrying on the legitimate, honourable and rightful duty in a democracy and curtailed their right to express their views; however different or difficult or inconvenient they may be to the party in power or the powers that be, in a democracy you cannot stop such things. But section 144 has continuously violated the Indian Constitution and especially the provisions regarding Fundamental Rights.

Therefore, on all these grounds, I would request my good friend the hon. Minister to be reasonable again and see that he accepts some of the amendments so that a certain *via media* is created; we do not want to eliminate this altogether. We realise there are occasions when you may have advance information which the public at large may not have and because of that advance information, you would like to have that provision promulgated, but not as a matter of daily bread. This is a thing which has to be used occasionally and only when the situation demands. But I am afraid since independence the authorities every where have been using this provision not as an occasional medicine but as a daily bread, which is against the spirit of the Constitution and the democratic rights of citizens. I hope the Minister will be good enough to consider it quietly and sympathetically and in the spirit of democracy, which I am sure he understands, and will see that section 144 is so amended that this kind of abuse of that section, abuse in terms of continuity as a blanket provision for all time against all opposition meetings is at least stopped.

SHRI B. R. SHUKLA: The police and the magistracy have been the two powerful instruments for maintaining law and order. But unfortunately, these two functionaries of law and order have worked for preservation of the vested interests of British imperialist in this country. But there is nothing wrong with the provision of section 144 and other provisions for maintaining security.

Shri Mavalankar may be a very peaceful citizen. All distinguished members of the Opposition parties may be very peaceful in their intention, but once a mob is organised by the leader with a peaceful intention he cannot check the entry of hooligans in that uncontrolled mob. We see daily that buses are burnt, wagons destroyed, properties looted, police men subjected to brickbats and DSPs,

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SPs and Magistrates being injured. I would say that the Government can be charged with not applying the provisions of security in an effective way. Persons who violate the provisions of section 144 Cr. PC are arrested and put in jail. After 24 or 48 hours, they come out of jail. So it is more an honour to their leadership rather than an action for curbing their activities.

Communal disturbances take place on an organised scale. My hon. friend, Shri Limaye, wants that the application of section 144 at the outset should extend only to 72 hours and thereafter there should be a public hearing by the district magistrate who should be competent to promulgate 144. When communal frency is at its peak, public hearing in such a surcharged atmosphere would only add fuel to the fire; there would be speeches, there would be cross-examination of the witness. This would not be a procedure conducive to controlling the violent situation which has developed.

Everybody has talked of fundamental liberty. Certainly liberty is the very cherished objective enshrined in the Constitution. But there is another article under which reasonable restrictions on freedom of speech, association and peaceful activity are perfectly permissible within the framework of the Constitution.

The best way of putting an end to the abuse of section 144 is that the Opposition parties and all those who are vocal in their support for the preservation of democracy in this country and their partymen and followers not to resort to gherao and unlawful activities. They should demonstrate in a peaceful manner. There would be hardly any occasion for abuse of the law.

SHRI DINESH JOARDER: There is no word as "gherao" here.

SHRI B. R. SHUKLA: The question is, when the situation is an explosive one, when the situation has taken an ugly turn, it is difficult to discriminate as to who is a peaceful citizen and who is indulging in mass violence. The function of the magistracy and the police is to prevent the mischief by resorting to these proceedings. It is no use when heads are broken and when violence takes place on a large scale to arrest those persons and bring them to book. Therefore, it is an extraordinary measure and those who say—(*Interruptions*).

SHRI DINESH JOARDER: You do not know what is happening in our country.

SHRI B. R. SHUKLA: I want to know how many of you, gentlemen, have been subjected to unnecessary harassment by police by resorting to this provision?

श्री मधु लिमये : मैं इस मामले में चार-पांच दफ़ा अदालत में जीता हूं ।

SHRI B. R. SHUKLA: It, therefore, means that the law courts are very fair.

श्री मधु लिमये : लेकिन अनफेअर हैं, उसका क्या इलाज है ।

SHRI B. R. SHUKLA: Whenver there has been an abuse of this process, it has been rectified by the intervention of the courts. So, my submission is, let us not be obsessed with the past practices of the British regime. There is nothing wrong on merits.

SHRI DINESH JOARDER: What is your experience of the past 25 years?

SHRI B. R. SHUKLA: My experience is that people organise violent demonstrations; the people loot shops; people gherao the police and the

magistrates and they want that they should go scot-free. And in the jail they get all the amenities which it is difficult for many of them to get even in their homes. (*Interruptions*).

That is a tribute to the Government.

श्री मधु लिमये : सभापति जी, इन का एक वाक्य बड़ा महत्वपूर्ण है । आप ने इस देश की स्थिति इतनी खराब बना दी है कि कई लोगों को जेल अच्छा लगने लगा है ।

SHRI B. R. SHUKLA: No running commentary please. The people organise these demonstrations. I should say, with respect to them, that they organise these demonstrations only in order to go to jail, and whenever they are not arrested they are disappointed. Therefore, in order to enhance their prestige as heroes, section 144 is more often broken.

Therefore, my submission is that the soundness of the provision should not be attacked on the ground that it is likely to be abused or it has been abused. The necessity is there, its excesses or abuse should be controlled by properly tuning the administrative side of the police machinery.

श्री आर० वी० बड़े : सभापति महोदय माननीय शुक्ला जी ने अभी जो वक्तव्य दिया है, उसे सुन कर मझे बहुत आश्चर्य हुआ । हमारे यहां मराठी में एक कहावत है —

नली फुकनी सोना रे, इकड़न तिकड़े गोले बारे ।

हमने कहा है कि 144 सेक्शन का बहुत ज्यादा मिसयूज होता है, आप कहते हैं कि हम घेराव करते हैं । घेराव न करें तो क्या करें । क्या हम यूटिनी चाहते हैं, क्रान्ति चाहते हैं ? हम भोपाल जाते हैं तो धारा 144 लागू हो जाती है । उस को ब्रेक करने के बाद हम को जेल में भेज देते हैं । पोलिटीकल मूवमेन्ट में कोई बरा मोटिव नहीं होता, इस लिए पोलिटीकल पार्टीज पर यह लागू नहीं होना चाहिए । सेक्शन 144 ऐसा है कि जहां भी आप जायेंगे वहां पर ही लगा हुआ आपको मिलेगा । शासन को डर रहता है कि यहां पर लोग इकट्ठे हो जायेंगे । लोग तो अपनी ग्रीवान्सेज रखने के लिए आते हैं लेकिन उनकी बात को कोई सुनता नहीं है । मैं यह चाहता हूं कि सेक्शन 144 जो है उसको पोलिटिकल पर्पजेज के लिए लागू न किया जाये या फिर कम से कम जैसा मधु लिमये जी ने रखा है 72 घंटे के लिए ही इसको लागू किया जाये । अब तो सेक्शन 144 का जो प्रोमूलगेशन है उसका ज्ञान आदिवासियों तक को हो गया है । मैंने उनसे कहा कि इस सेक्शन के अन्तर्गत 5 आदमी से ज्यादा इकट्ठे नहीं होने हैं तो उन्होंने कहा कि हम चार चार करके जायेंगे ।

माननीय सदस्य शुक्ल जी ने कहा कि लोग जेल जाने के लिए इस सेक्शन को तोड़ते हैं तो मेरा कहना है शायद उन्होंने जेल देखी नहीं है । जेल में इस प्रकार की स्थिति होती है कि टट्टी पेशाब करना मना होता है । बाहर एक लाइन बना कर बैठना होता है । और खाने पीने की स्थिति इतनी खराब होती है जिसको कहना मुश्किल है । गांव में रहने वाला जो एक आदिवासी होगा वह भी कभी जेल जाना नहीं चाहेगा जब कि शुक्ल जी कहते हैं कि लोग जेलों में जाना चाहते हैं । मुझे शुक्ल जी की इस बात को सुन कर बड़ा आश्चर्य होता है मैं कहता हूं उन्होंने जेल की लाइफ देखी नहीं है । भोपाल में नवाब साहब का रूल था और वहां पर आज जेलों की जो स्थिति है उसमें कोई भी कभी वहां जाना नहीं चाहेगा ।

इसलिए मेरी बिनती है माननीय मंत्री जी से कि मधू लिमये जी ने और जोरदर

[श्री आर० बी० बर्डे]

साहब ने जो अमेन्डमेन्ट दिए हैं उनको स्वीकार करने की कृपा करें ।

SHRI RAM NIWAS MIRDHA: I have heard the various arguments that the hon. Members have advanced in support of their amendments. Shri B. R. Shukla has very ably dealt with them and I cannot improve upon that. This clause is of a preventive nature. It is used only to prevent disturbance to public tranquility or riot or a situation of that nature. To say that this clause is being used to stifle normal political activity is not correct.

SHRI DINESH JOARDER: I mentioned some of the incidents. Meetings of our party were not allowed to be held even last month.

SHRI RAM NIWAS MIRDHA: There are parties and persons in our country who believe in violence in political activities and so long as such elements exist, some sort of preventive action as contemplated under this clause would be necessary. I do not think anyone can have any legitimate grievance that political activity is not being allowed or public meetings are not allowed. It was mentioned that there was an order under section 144 around Parliament. If it were not there we will be having all sorts of demonstrations right within the compounds of Parliament House if not in the Hall itself. A few years back we saw what sort of mob violence is possible right at the gates of Parliament. It is quite likely that it may reoccur. Only to protect Members of Parliament, to enable them to carry on their activities in a peaceful atmosphere this slight restriction is there. Right in front of the Boat club or near about there is no restriction. Meetings against Government's policies are held and important leaders of the opposition speak there. It is wrong to say that the imposition of section 144 around Parliament House has prevented legitimate protest meetings of political parties. Opposition morchas and political agitations are daily going on. To insist that they should be allowed to come right into the House or its precincts would be going a bit too far. I do not think the hon. Members would like it. They would be disturbed every now and then by demonstrations and morchas of this nature. It is true this section as it existed before had certain defects. For example, there was no time-limit provided. It could continue indefinitely. Now we have provided for 2 months in the first instance and then the State Government can extend it. But these orders are subject to revision. Representation could be made against them. Then there is an absolute limit of 6 months after which the order cannot continue. These are progressive provisions which have been included now and I am sure hon. Members will welcome them. For these reasons, it is not possible for me to accept the amendments.

श्री मधु लिमये सभापति महोदय, आप स्वतन्त्रता के सेनानी रहे हैं, आप अपनी नैतिक शक्ति और इस कुर्सी की गरिमा का इस्तेमाल करके इन को समझाइये, क्या आपने इनके बचाव में कोई शक्ति दे दी है ? यह तो कविन्स्ड हैं कि हमारे सारे अमेन्डमेन्टस ठीक हैं इसलिए अगर आप इनको समझायेंगे तो यह मान जायेंगे ।

MR. CHAIRMAN: Unfortunately, the Chair has no opinion. I will now put the amendments.

SHRI DINESH JOARDER: I want that amendment No. 334 should be put separately.

MR. CHAIRMAN: The question is: Page 48,—

after line 3, *insert*—

"Provided that the order under this section shall not apply to prohibit holding of any political meet-

ing or to any assembly concerning trade union or peasant movements or any other democratic movements." (334).

The Lok Sabha divided:
Division No. 17

AYES

Bade, Shri R. V.
Berwa, Shri Onkar Lal
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri S. P.
Chaudhary, Shri Ishwar
Joarder, Shri Dinesh
Limaye, Shri Madhu
Mavalankar, Shri P. G.
Mohammad Ismail, Shri
Mohanty, Shri Surendra
Mukherjee, Shri Samar

NOES

Austin, Dr. Henry
Balakrishniah, Shri T.
Bhagat, Shri B. R.
Bhargava, Shri Basheshwar Nath
Buta Singh, Shri
Chhotey Lal, Shri
Darbara Singh, Shri
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Doda, Shri Hiralal
Gopal, Shri K.
Gotkhinde, Shri Annasaheb
Kadam, Shri J. G.
Kailas, Dr.
Karan Singh, Dr.
Kasture, Shri A. S.
Kedar Nath Singh, Shri
Lakkappa, Shri K.
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri G. S.
Murthy, Shri B. S.
Nahata, Shri Amrit
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornand
Palodkar, Shri Manikrao
Paokai Haokip, Shri
Parashar, Prof. Narain Chand
Peje, Shri S. L.
Raghu Ramaiah, Shri K.
Rana, Shri M. B.
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rudra Pratap Singh, Shri
Samanta, Shri S. C.
Sathe, Shri Vasant
Satish Chandra, Shri
Shambhu Nath, Shri
Shankarnand, Shri B.
Sheonoy, Shri P. R.
Shinde, Shri Annasaheb P.
Shivnath Singh, Shri
Shukla, Shri B. R.
Stephen, Shri C. M.
Thakur, Shri Krishnarao
Unnikrishnan, Shri K. P.
Venkatasubbaiah, Shri P.
Yadav, Shri Karan Singh
Yadav, Shri R. P.

MR. CHAIRMAN: The result of the division is: Ayes 11; Noes 53.

The motion was negatived.

MR. CHAIRMAN: I will now put amendment Nos. 138, 198, 199, 200, 201, 236, 237, 238, 240, 332 and 333 to the vote of the House.

Amendments Nos. 138, 198 to 201, 236 to 238, 240, 332 and 333 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 144 stand part of the Bill".

The motion was adopted.

Clause 144 was added to the Bill.

श्री मधु लिमये : सभापति महोदय, इस का मैं धिक्कार करता हूं और इस के विरोध में मैं सदन का त्याग करता हू ।

(Shri Madhu Limaye then left the House).

Clause 167—*(Procedure when investigation cannot be completed in twenty-four hours).*

SHRI DINESH JOARDER: I beg to move:

"That the decisions of the House in respect of Clause 167 of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha, and the amendments moved thereto made on 1st September, 1973 be rescinded. "(320)

MR. CHAIRMAN: The question is:

"That the decisions of the House in respect of clause 167 of the Code of Criminal Procedure Bill 1972, as passed by Rajya Sabha, and the amendments moved thereto, made on 1st September, 1973 be rescinded." (320)

MR. CHAIRMAN: Now, Clause 167 is open for discussion.

SHRI DINESH JOARDER: I beg to move:

Pages 57 and 58,—

For lines 46 to 51 and to 5 respectively

substitute—

"(a) the Magistrate may authorise detention of the accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no magistrate shall authorise the detention of the accused person in custody under this section for a total period exceeding sixty days, and shall if the accused person is prepared to give bail, release him on bail whether the offence or any of the offences under investigation is bailable or not." (335).

Sir, this clause was discussed threadbare in the last session also. It is in connection with a provision where an inquiry will not be completed within 24 hours. What is the result in effect if an inquiry is not completed within a reasonable time? Nowhere in the Code it has been stated within which period, within what time-limit the police officer has to complete the investigation. Only in clause 173, it has been stated that every investigation in this Chapter shall be completed without unnecessary delay.

Now it is our experience that even for years together even for three or four or five years, the investigation is not completed, and the accused persons remain behind the bars and suffer unduly for years together. Before the trial is completed, the accused person

who is arrested by the police officer has to undergo punishment for years together. There is no limit.

It is very often stated by the hon Minister that we are going to have some progressive measure and a better measure than the old Code. But what is a better measure? It is all vague. In the previous clauses that we have discussed in the House, certain relaxations have been granted but, at the same time, after a few clauses, after a few lines, those relaxations are taken away.

Coming to clause 167, in the last session one amendment as given by Mr. B. R. Shukla was accepted. Once again, this House will have to consider it afresh. whether that amendment in toto should be accepted or not. I have used the same language in my amendment that was put in the amendment of Mr. B. R. Shukla excepting the last part where it has been specified that certain clauses of accused persons in certain cases wil not come under the purview of the amendment moved by Mr. B. R. Shukla. Excepting the last part of that amendment, I have used the same language. My amendment reads:

> "the Magistrate may authorise detention of the accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorise the detention of the accused person in custody under this section for a total period exceeding sixty days, and shall if the accused person is prepared to give bail, release him on bail whether the offence or any of the offences under investigation is bailable or not."

It is the bounden duty of the police officer to see that unnecessarily the liberty and the democratic rights of a particular individual, of a particular person, who has been caught merely on suspicion are not curtailed for an indefinite period. If the liberty and the democratic rights of a particular person are involved. in that case, it is the duty of the police officer to see that the investigation is completed within a certain specified period. As legislators, this House also has some duty to protect the liberty and democratic rights of an individual, so that he may not be harassed unduly by police officers. The police officer may send a note to the trying Magistrate and on the basis of the report of such police officer, the detention will continue. This august House should not pass any such law....

18 hrs.

MR. CHAIRMAN: Please try to conclude.

SHRI DINESH JOARDER: This is the last amendment I want to move. Of course, there are a few other amendments also, but I would not press those amendments—amendments to Clauses 173 and 197. Therefore, I wish to take a few minutes more to clarify my position here.

We very often talk about democratic rights in our country. Some of the people are of the opinion that there are no democratic rights in socialist States; there is only dictatorship: there are no democratic rights as such as we have in our country in the Soviet Union: the individuals have no democratic rights. I want to mention here some of the clauses from the Criminal Procedure Code of Soviet Russia to show how an investigation has got to be completed within a certain period, how a particular individual enjoys the liberty and democratic rights there, how the trial is going on in a socialist State....

SHRI R. V. BADE: Sir, it is already five minutes past Six O' Clock.

MR. CHAIRMAN: Let him finish.

SHRI DINESH JOARDER: If you permit, I will continue tomorrow; I require 15 minutes more....

MR. CHAIRMAN: He says that he will require about 15 minutes more. It is already past Six O'Clock. I think, the opinion of the House is that it should be taken up tomorrow....The House stands adjourned to meet again tomorrow at 11.00 a.m.

18.05 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 12, 1973/Agrahayana 21, 1895 (Saka).

MGIPND—M—2644 L.S.